

# bulletin





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## The International Wheat Agreement of 1949

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For the second year in succession the negotiations phase of formulating an international wheat agreement has been successfully concluded. The general structure of the agreement and its essential features are the same as those of the agreement which was negotiated at the special session of the International Wheat Council held in Washington from January 28 until March 6, 1948, but never placed in effect.<sup>1</sup> The new agreement, like the 1948 agreement, is a multilateral contract under which member exporting countries agree to supply specified quantities of wheat to member importing countries, if called upon to do so, at the maximum prices provided for in the agreement. Member importing countries agree, conversely, to purchase specified quantities of wheat from member exporting countries, if called upon to do so, at the minimum prices provided for in the agreement. As will be indicated, however, many of the terms of the 1949 agreement are different from those of the 1948 agreement.

The 1948 wheat agreement provided for the convening, in Washington in July 1948, by the Government of the United States of America, of the first meeting of the Wheat Council established under that agreement. It also provided that at the opening of the first session of the Wheat Council any government which had signed and ratified the agreement might effect its withdrawal therefrom by notification to the Government of the United States if, in the opinion of any such government, the guaranteed purchases or guaranteed sales of the countries whose governments had ratified the agreement were insufficient to insure its successful operation. When a large number of the countries which had signed the 1948 agreement, including the United States, announced that their governments had not approved the agreement in time to put it into effect on August 1, 1948, as expected, Great Britain, Australia, and several other countries which had ratified it withdrew, and the representatives of Canada and the other countries remaining in the agreement adopted a resolution recommending to their governments that the agreement be considered inoperative as among themselves.

The representatives of the countries which had signed the agreement then adopted a resolution appointing a Preparatory Committee to keep under

review the prospects of concluding a new agreement and invited the United States Government to arrange to convene a meeting of the Committee if at any time, after consultation with the Committee's chairman, this meeting should appear to be desirable. The resolution further provided that should the Preparatory Committee recommend that an international conference be held to negotiate a new international wheat agreement, the United States Government should be invited to convene such a conference.

An informal meeting of the Preparatory Committee was convened at the request of the United States during the Fao Conference held in Washington in the latter half of November. At this meeting the Committee was informed of the proposal by the United States Government to convene an International Wheat Conference on or about January 25, 1949, and later on December 3, 1948, the Committee approved the convening of the Conference. Invitations to the Conference were initially sent to all governments that were members either of the Fao of the United Nations or of the United Nations itself. The Government of Israel later expressed a desire to be represented and was invited to send an observer. Toward the end of the Conference the status of the representative of Israel was changed from that of observer to that of a plenipotentiary delegate by action of the Conference.

In all, 56 countries were represented at the Conference, 48 by delegates and 8 by observers. In addition, observers of six international organizations attended. The countries represented by delegates were: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, France, Greece, Guatemala, India, Iran, Ireland, Israel, Italy, Lebanon, Liberia, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Saudi Arabia, Sweden, Switzerland, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States, Uruguay, and Yugoslavia. The countries sending

<sup>1</sup> *Documents and State Papers*, May 1948, p. 102. The 1949 agreement will be printed in *Documents and State Papers* for May 1949.



observers were: Afghanistan, Czechoslovakia, Ethiopia, Finland, Pakistan, Syria, Turkey, and Venezuela.

The international organizations represented at the Conference by observers were: The Food and Agriculture Organization, the International Bank, the International Monetary Fund, the United Nations, the Interim Coordinating Committee for International Commodity Arrangements, and the Interim Commission of the International Trade Organization.

A large part of the work of the Conference was done in meetings of the full Conference sitting as a committee of the whole. Smaller committees and working parties were established, however, with specific assignments, which often involved problems requiring more detailed consideration than could advantageously be given in meetings of the full Conference.

Although the Steering Committee was in a position to consider all problems of major importance to the Conference, most of its attention was devoted to actions relating to the duration of the agreement and to the maximum and minimum prices that it should contain.

The principal tasks of the Price Equivalents Committee were related to the development of formulae for determining in the currencies of the exporting countries that were expected to be in the agreement the maximum and minimum prices for various types of wheat in relation to the grade of Canadian wheat (No. 1 Manitoba Northern) which was taken as a basic grade for purposes of the agreement. Since France and Uruguay had indicated that they intended to participate in the agreement as exporters and since these countries had not been exporters under the agreement signed in 1948, one of the principal matters considered by the Committee was the price equivalents for these countries.

The Working Party on Quantities was given the task of equating the total quantity of wheat which exporting countries wished to sell under the agreement with the total quantity of wheat which importing countries wished to purchase and of working out the relative shares of each country in the total quantity of its group.

The Working Party on Flour directed its attention to a number of problems relating to the purchase and sale of wheat flour, rather than wheat grain, as a part of the guaranteed quantities under the agreement.

The Working Party on articles III and XVII dealt with questions regarding the recording of transactions under the wheat agreement by the Wheat Council. The numbers of the articles referred to were those of the 1948 draft, the 1948 agreement having been adopted by the Conference as its annotated agenda. The article in the new agreement dealing with the recording of transactions against guaranteed quantities is article IV, rather than article III or XVII.

The Working Party on Voting Provisions studied all sections of the agreement where the question of voting would arise and made recommendations as to the size of the vote that should be required in each case.

The first meeting of the Conference was held on January 26 and the last meeting on March 23. During this period the Conference was in continuous session. All meetings except the first, on January 26, and the last, on March 23, were in executive session. Arrangements were made, however, for certain of the principal officers of the Conference to meet with the press from time to time and to issue releases regarding developments at the Conference so that the public might be kept advised of the progress of the negotiations. At the final session, on March 23, which was open to the public, copies of the agreement and a release describing its principal features were distributed to the press.

The agreement consists of a preamble and 23 articles. The preamble, which is somewhat shorter than that of the 1948 agreement, indicates the purpose of the agreement—the intention “to overcome the serious hardship caused to producers and consumers by burdensome surpluses and critical shortages of wheat.”

The new agreement, as compared with the 1948 agreement, is believed to embody a number of improvements in terminology. The agreement has also, in the interest of a more logical arrangement and sequence, been subdivided into five parts and the articles grouped under them in a somewhat different order from that observed in the 1948 agreement.

Part 1 (General) includes two articles, article I, in which the objectives of the agreement are stated, as they were in the 1948 agreement, as being “to assure supplies of wheat to importing countries and markets for wheat to exporting countries at equitable and stable prices,” and article II, giving definitions of numerous terms used in the agreement.

Part 2 (Rights and Obligations) consists of articles III through VIII. This is the principal substantive part of the agreement. Annexes to article III show the quantities of wheat which the exporting countries are committed to sell at the maximum prices and those which the importing countries are committed to buy at the minimum prices. Article IV, as mentioned, deals with the recording of transactions against the guaranteed quantities. Article V relates to the enforcement of the rights of exporting countries and importing countries under the agreement. Article VI contains the price provisions of the agreement. Article VII contains a general undertaking of both exporting and importing countries regarding the maintenance of stocks. Article VIII provides that the exporting and importing countries shall report to the Council, within the time prescribed by it, such information as the Council may



request in connection with the administration of the agreement.

Part 3 (Adjustment of Guaranteed Quantities) is made up of four articles. Article IX indicates the way in which the total export quantities and the total import quantities will be brought into equilibrium in the event that some countries fail to participate in the agreement or withdraw therefrom. Article X deals with adjustments in the guaranteed quantities which may be made necessary by a short crop in an exporting country or by monetary difficulties in an importing country. Article XI provides a method whereby an increase might be made simultaneously in the guaranteed quantities of the exporting countries and the importing countries. Article XII provides a procedure whereby the guaranteed quantities of the importing countries might be reduced in order to provide wheat for the relief of a critical need that has arisen in another importing country which is a signatory to the agreement.

Part 4 (Administration) contains seven articles. Article XIII establishes an International Wheat Council to administer the agreement, provides for its constitution, its power and functions, for voting in the Council, and for other related matters. Article XIV provides for an Executive Committee which is to be responsible to and work under the general direction of the Council. Article XV provides for the establishment of an Advisory Committee on Price Equivalents, article XVI for the Secretariat of the Council, article XVII for the payment of annual contributions by the exporting and importing countries to meet the expenses incident to the administration of the agreement, and article XVIII deals with cooperation between the Wheat Council and other intergovernmental organizations. Article XIX relates to the handling of disputes and complaints.

Part 5 (Final Provisions) contains four articles. Article XX deals with the signature, acceptance, and entry into force of the agreement. Article XXI provides for accession to the agreement by countries other than those which are its initial signatories. Article XXII relates to such matters as duration, amendment, withdrawal from, and termination of the agreement. Article XXIII deals with the application of the agreement in respect of the overseas territories of the countries signing the agreement.

Aside from the altered arrangement of articles and the changes that have been made in drafting, there are a number of important differences between the terms of the present agreement and the terms of the 1948 draft. The principal changes relate to duration, maximum and minimum prices, and to the quantity of wheat covered by the agreement. These differences are summarized in the following tabulations.

It will be observed that the minimum prices provided in the new agreement are 10 cents per

Duration of agreement and quantity covered		1949	1948
Duration (years) . . . . .		4	5
Quantity (bushels) . . . . .		456, 283, 389	499, 997, 000

Price and agreement	1948-49	1949-50	1950-51	1951-52	1952-53
Maximum:					
1949 . . . . .		\$1. 80	\$1. 80	\$1. 80	\$1. 80
1948 . . . . .	\$2. 00	2. 00	2. 00	2. 00	2. 00
Minimum:					
1949 . . . . .		1. 50	1. 40	1. 30	1. 20
1948 . . . . .	1. 50	1. 40	1. 30	1. 20	1. 10

annum higher than those provided in the 1948 agreement. As will also be observed, the maximum price is 20 cents per bushel lower than under the 1948 agreement. The guaranteed export quantity in the 1949 agreement is not only less than that under the 1948 agreement but also has to be shared by five exporters instead of three, since France, which had a guaranteed import quantity of almost 36 million bushels under the 1948 agreement, has a guaranteed export quantity under the 1949 agreement of slightly more than 3.3 million bushels, and since Uruguay, which would have been neither an exporter nor an importer under the 1948 agreement, has a guaranteed export quantity of slightly more than 1.8 million bushels.

The export quantities of the other exporting countries have been reduced from 230 million bushels in the 1948 agreement to a little over 203 million bushels in the 1949 agreement in the case of Canada, from 185 million bushels to a little over 168 million bushels in the case of the United States, and from 85 million bushels to 80 million bushels in the case of Australia.

There are other changes in the new agreement that are worthy of note. Greater attention is given to outlining the general philosophy of the agreement (article III) than was the case in the 1948 agreement. This does not involve a change in concept so much as it does a change in presentation. For example, exporting and importing countries under either the 1948 agreement or the 1949 agreement would have been free to fulfil their guaranteed quantities through private trade channels or otherwise, but this was implied in the 1948 agreement whereas it is specifically stated in the 1949 agreement (paragraph 8 of article III).

The 1949 agreement also provides in greater detail than did the 1948 agreement for the recording of transactions against guaranteed quantities. This matter is dealt with in article IV of the new agreement, in which certain principles are laid down for the Council to follow in prescribing rules of procedure for the recording of transactions.

The 1949 agreement also gives more attention to the way in which wheat flour may be bought or sold as part of the guaranteed quantities under the agreement and of the criteria which the Council shall follow in settling disagreements which may arise between exporting and importing countries over this matter (paragraphs 1 (c), 1 (e), 2 (c), and 2 (e) of article V). Wheat flour can be substituted for wheat grain in fulfilment of obligations under the agreement if agreed to by buyer and seller. Where countries cannot agree as to the relative amounts of wheat grain and wheat flour which they should buy or sell, the matter is to be settled by the Council. In settling such matters, the Council will be expected to consider any circumstances which the interested countries wish to submit for consideration, such as industrial programs of any country that might have a bearing on the problem as well as the normal traditional volume and ratio of imports of wheat flour and wheat grain imported by the importing country concerned.

The 1949 agreement also gives the Council more latitude in placing the agreement into operation than did the 1948 agreement. The agreement will enter into force in respect of parts 1, 3, 4, and 5 on July 1, 1949, provided the governments of importing countries responsible for not less than 70 percent of the guaranteed purchases and the governments of the exporting countries responsible for not less than 80 percent of the guaranteed sales have accepted the agreement by that date, and the Council may fix a date as late as September 1, 1949, on which part 2 (Rights and Obligations) shall enter into force between those governments which have accepted it (paragraph 3 of article XX). The Council is therefore given a period of as much as two months (July 1 to September 1) to attempt to readjust the totals of the export and import quantities if difficulties should arise because of failure of some of the governments to sign or ratify the agreement. Under the 1948 agreement a country which felt that an insufficient number of countries had signed and ratified it to insure its successful operation was permitted to withdraw, but it had to exercise this right at the beginning of the first session of the Council in July. The new agreement permits withdrawal up to September 1, 1949, under such conditions (paragraph 6 of article XXII), thereby permitting the Council and the various countries concerned additional time in which to attempt to make the adjustments that may be necessary to make the agreement an effective operating instrument if certain of the countries do not become participants.

Two other changes of minor importance are the facts that the United States Government is to be the depository of amendments which may be made to the agreement as well as of the original agreement itself, whereas under the 1948 agreement the Wheat Council would have served as the depository of amendments, and that the article on territorial application in the 1949 agreement is drafted

in such a way as to obviate the necessity of participating countries listing their territories in respect of which the agreement is to apply, as was done in the 1948 agreement.

There have been deletions from as well as additions to the new agreement. For example, there is no counterpart in the 1949 agreement to article VII of the 1948 agreement, which provided that the Council might use its good offices in assisting an exporting or an importing country to make additional sales or purchases. There is also no counterpart to article VIII of the 1948 agreement relating to sales for nutritional programs. The first of these was deleted because of the belief that such an article would be of little importance in view of improvements in the supply position. As to the second, since the agreement applies only to the quantities covered by its terms, it appeared unnecessary to give the Council any responsibility in respect of sales made outside its terms.

There were 36 signatories of the 1948 agreement, 3 exporting countries and 33 importing countries. Of these, two of the three exporting countries—Canada and the United States—and 13 of the 33 importing countries—China, Colombia, Denmark, Egypt, Greece, India, Ireland, Lebanon, Liberia, the Netherlands, Peru, Portugal, and the United Kingdom—signed the agreement at the final session of the Wheat Council in which it was negotiated. The countries which signed at that time accounted for more than 80 percent of the wheat covered on the export side and more than 60 percent on the import side.

Forty-two governments have indicated their intention of signing the 1949 agreement, five as exporting countries and thirty-seven as importing countries. As indicated earlier, the five exporting countries are Australia, Canada, France, the United States, and Uruguay. Three countries which signed the 1948 agreement as importers have shown no intention of participating in the 1949 agreement. These countries are Afghanistan, Czechoslovakia, and Poland. Eight countries which did not sign the 1948 agreement have indicated an intention of signing the 1949 agreement as importers. These are Bolivia, Ceylon, El Salvador, Israel, Nicaragua, Panama, Paraguay, and Saudi Arabia.

The governments signing the agreement at the close of the Conference this year represented a higher proportion on both the export and import sides than was the case last year. Representatives of all the exporting countries and representatives of 25 of the 37 importing countries which have indicated an intention of participating in this year's agreement signed it on March 23 at the close of the Conference. The countries which signed at that time represented 100 percent of the export quantities covered by the agreement and 87 percent of the import quantities covered.

Both Argentina and the U.S.S.R. indicated during the Conference that they would not participate



in the agreement. Neither was a signatory of last year's agreement. Argentina was represented in the negotiations both last year and this. Its refusal to participate in either agreement was apparently the result of its dissatisfaction with the maximum price provisions. The U.S.S.R., which had not been represented in any of the postwar wheat negotiations, took an active part in the negotiations this year. Its failure to become a signatory of the agreement appears to have been largely, if not altogether, attributable to a disagreement as to the guaranteed export quantity which the U.S.S.R. should have relative to the guaranteed export quantities of the other exporting countries.

The following were the principal factors responsible for the attitude of the other exporting countries concerning the appropriate size of the guaranteed export quantity of the U.S.S.R.: the share of the U.S.S.R. in world wheat trade since the time of the First World War, the quantity of wheat which the importing countries that had indicated an intention of participating in the agreement appeared to have included because of the anticipated participation of the U.S.S.R., and the current level of wheat exports from the U.S.S.R. in relation to exports from the other principal wheat exporting countries.

Prior to the First World War Russia was one of the world's major exporters of wheat, its exports in the period 1909-13, having averaged almost 165 million bushels per year. Since that time, however, U.S.S.R. participation in the world wheat trade has been on a greatly reduced basis. Its annual exports averaged approximately 9 million bushels for the period 1920-29, approximately 34 million bushels for the period 1930-39, and, as was to have been expected in view of the Second World War, its exports have been much lower during the 1940's than during the 1930's. Its exports to all countries are believed, at present, to be at the rate of 40 to 45 million bushels a year. From 15 to 20 million bushels of these exports are believed to be going to countries such as Czechoslovakia and Finland, which had indicated no intention of participating in the agreement. Accordingly, exports from the U.S.S.R. to the countries that were expected to participate in the agreement are running at an annual rate of from 20 to 30 million bushels. Furthermore, an analysis of the quantities of wheat which the importing countries had shown an intention to purchase under the agreement from all the exporting countries, including the U.S.S.R., indicated that not more than 40 million bushels was attributable to the anticipated participation of the U.S.S.R. Under these circumstances, the other exporting countries felt that a guaranteed export quantity in excess of 40 million bushels would mean giving up to the U.S.S.R. markets which such countries had been accustomed to supply and which they could expect to supply under the agreement. Because of their desire to have the U.S.S.R. participate in the agreement, however,

the other exporting countries stated that they would be prepared to agree to a guaranteed export quantity of 50 million bushels for the U.S.S.R. The U.S.S.R. Delegation at first pressed for a guaranteed export quantity equivalent to 20 percent of the total quantity of wheat covered by the agreement. The delegation finally indicated that the U.S.S.R. was prepared to accept a quantity of 75 million bushels but refused to accept a smaller quantity, although it was pointed out by representatives of some of the importing countries that a figure this large would involve a change of sources of supply for some of the importing countries that might well cause them serious difficulties. Representatives of the exporting countries as well as of the importing countries expressed regret that the U.S.S.R. considered itself to be unable to participate in the agreement on terms which would have been acceptable to the other signatories.

The Conference, just as was the case last year, realized that it would be necessary, prior to July 1, to make administrative and other arrangements for the operation of the agreement. It therefore established a Preparatory Committee for this purpose consisting of the following countries: Australia, Benelux, Brazil, Canada, Egypt, France, India, Italy, the United Kingdom, and the United States.

As indicated earlier, the governments have until July 1, 1949, to approve the agreement. If the agreement is to become effective, approval by July 1, 1949, by governments responsible for at least 80 percent of the exports under the agreement and at least 70 percent of the imports will be required. This means that the agreement cannot go into operation unless approved by Canada, the United Kingdom, and the United States, since the guaranteed quantity of each of these countries is in excess of one third of the total guaranteed exports or imports, as the case may be. On the export side, the failure of France or Uruguay to approve the agreement need not seriously prejudice the chances of placing the agreement in effective operation, but the failure of Australia to approve would confront the Council with very serious problems at its July meeting. Furthermore, if only a sufficient number of importing countries approve the agreement to make up the 70 percent which is needed to place parts of the agreement other than those relating to rights and obligations into effect on July 1, the Council, at its July meeting, would also be faced with serious problems of adjusting the guaranteed quantities of the exporting countries to this total.

On the basis of last year's experience, the period April 15 to July 1 would appear to be no more than adequate for obtaining approval by governments responsible for the required percentages of the guaranteed export and import quantities. On the other hand, the fact that the agreement, in its essential features, is similar to the 1948 agreement, which has been previously considered by governments, should be helpful.



### The Problem of Voting in the Security Council

By AMBASSADOR WARREN R. AUSTIN<sup>1</sup>

The General Assembly has before it at this time a resolution relating to the voting procedures of the Security Council approved by the *Ad Hoc* Political Committee on December 10, 1948, in Paris.<sup>2</sup>

The exercise of the veto power on a number of occasions has seriously undermined the confidence of member states in the ability of the Security Council to maintain international peace and security. The chronic disagreement and deadlock in the United Nations is a matter of deepest concern to all those who wish to see this organization function as it was intended—as an effective instrument to safeguard our common interests in peace and security. The use of the veto and the threat of its use are symptoms of the prevailing disagreement.

All members of the United Nations have assumed definite obligations in the Charter. These obligations constitute the law of the Charter binding upon all nations, large and small. The permanent members of the Security Council cannot, through their special voting position, evade or nullify these obligations. They cannot use their privileged vote granted by the Charter, to defeat the Charter. Under article 2, for example, all members are bound to refrain from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations. If a permanent member attempts to destroy through force, the political independence of his neighbor contrary to this obligation, the responsibility for the violation cannot be avoided or obscured through the casting of a negative vote when the victim takes the aggression before the Council. The permanent member, through the exercise of the veto, cannot deprive members of the right to defend themselves, nor take away the legal right or moral duty of other members to come to the aid of the victim in defense of the Charter.

The practice of the veto is the very reverse of the unanimity principle in the Security Council. Instead of leading to agreement, it aggravates differences. It provokes ill will and undermines friendly relations among states upon which the peace of the world depends. We must reject the idea that if unanimity fails the will of one, however

arbitrary, prevails over the will of many, however reasonable. The unanimity principle cannot work where agreement is offered only on condition that the will of the most intransigent member must prevail.

To insist on the exercise of the veto regardless of its effects on the organized international community and to reject any efforts to regulate its application under the Charter, in the light of experience, is to stand in the way of effective progress by the United Nations.

Looking now to the immediate problem of improving the functioning of the Security Council, we have before us a resolution which was jointly sponsored in the *Ad Hoc* Political Committee by four of the permanent members of the Security Council—all except the Soviet Union. The resolution incorporates the substance of the recommendations of the Interim Committee of the General Assembly. You will recall that the second session of the General Assembly in 1947 requested the Interim Committee to make a careful study of this problem of voting procedures and to report with its conclusions. Two sessions of the General Assembly had considered and debated this problem. A majority of the member nations had reached the conclusion that the effectiveness of the Security Council to fulfil its proper function in the United Nations was being jeopardized by the abuse of the veto power by one of the permanent members of the Security Council. There was, however, little agreement on what measures could appropriately be taken to improve the situation. Under the circumstances it was considered desirable that the entire matter be thoroughly studied in a nonpolitical atmosphere with a view to bringing about a better understanding on the part of all concerned as to the political and technical problems involved. It was hoped that such a study would throw more light on the problem with less generation of heat than would be possible in the General Assembly itself. It would also bring to light much more clearly the exact areas of agreement and disagreement among the various member nations.

The results of the study are now before us. Even a superficial perusal of the resolution of the *Ad Hoc* Committee must disclose that it is not designed to alter fundamentally the unanimity principle as it is embodied in the Charter. A very great majority of the members of the United Nations have expressed the view either explicitly or

<sup>1</sup> Address made before the General Assembly in New York, N. Y., on Apr. 13, 1949, and released to the press by the U.S. Mission to the United Nations on the same date.

<sup>2</sup> BULLETIN of Jan. 23, 1949, p. 99.

implicitly that the unanimity principle is and should remain a fundamental principle of the Charter. A majority of the members of the United Nations are opposed to any effort being made at this time to amend the Charter.

On the other hand, there is a large majority of the members of the United Nations who are making an anxious effort to design ways and means of giving life to the unanimity principle and making it work so that the Security Council can carry out its function effectively. The working of this principle requires an effort on the part of all members of the United Nations and particularly the permanent members of the Security Council to reconcile their divergent views on the basis of tolerance and mutual understanding.

The resolution before us sets us on the path toward this objective. It represents a policy of gradual liberalization of the voting procedures of the Security Council through processes of interpretation and application of the principles of the Charter and through agreement of the members of the Security Council. We rely on processes of discussion, definition, regulation, and practice to move us forward toward our objective and not upon revolutionary change. We recommend restraint and self-discipline to member nations in accordance with the letter and spirit of the Charter as an appropriate means of giving life to the unanimity principle and keeping it within proper bounds.

In our view the proposals now before us are most moderate. They are designed to be within the limits of what is practicable under prevailing world conditions. We firmly believe that if the members of the United Nations would cooperate in carrying out the program presented in these proposals we would quickly see substantial improvement in the effectiveness of the Security Council's operations. You will recall that efforts by the Assembly along similar lines in 1946 have resulted in a substantial improvement. I refer to the suggestions made by several members of the Assembly during the debates that abstention of a permanent member of the Security Council should not be considered a veto. That practice was adopted by common consent in the Security Council and has now become a well-accepted Security Council procedure. I believe all of you will agree that the adoption of this practice has substantially added to the effectiveness of the Security Council. A number of important decisions of the Council during the past two years has been approved with one or more of the permanent members abstaining. At least one Security Council decision under chapter VII and one decision recommending a state for membership has been approved with a permanent member abstaining.

Let us now look at this resolution in more detail. The work of the Interim Committee<sup>3</sup> on which the resolution is based revealed the great potentialities

which can be progressively realized under the present Charter if there can be general agreement upon a moderate course. By adoption of this resolution, the Assembly would make an important decision to the effect that 34 specified and described decisions of the Security Council are procedural. This effect would principally arise out of the first paragraph—"Recommends to the members of the Security Council that, without prejudice to other decisions which the Security Council may deem procedural, the decisions set forth in the attached Annex be deemed procedural and that the members of the Security Council conduct their business accordingly."

The principal criteria for placing these 34 items in the category of decisions deemed procedural were—

- (a) Decisions under procedure provisions of the Charter;
- (b) Decisions relating to the internal procedure of the United Nations;
- (c) Decisions relating to internal functioning of the Security Council;
- (d) Decisions analogous to the foregoing;
- (e) Decisions which implement procedural decisions.

In short, the Interim Committee, after a thorough study, concluded that these decisions are procedural in the light of the express language of the Charter, and of sound Charter interpretation.

This first paragraph is concerned with the reversal of a tendency toward an unwarranted extension of the veto to areas where its application was never contemplated by the Charter. Its purpose is, also, to eliminate undisciplined use of the veto contrary to the assumptions and understanding under which the privileged vote was accorded to the permanent members. This first paragraph is simply an interpretation of the Charter according to its letter and spirit. It amounts to saying to the Security Council: "The proper interpretation of the Charter forbids stultification of the Security Council in the cases described." In a word, the effect of this paragraph of the resolution is to keep certain enumerated types of decision in the category of procedural. Its main objective, of course, is to give life to the purposes and principles of the United Nations in accordance with which the Security Council must act in the discharge of its duties.

This resolution, especially paragraph 1, would be affected by the structural relationship between the General Assembly and the Security Council. Article 24 provides:

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

<sup>3</sup> *Documents and State Papers*, August 1948, p. 340.



This general grant of functions and powers, far beyond the specific grants found in chapters VI, VII, VIII, and XII, is definitely characterized by the very next paragraph of the Charter:

In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. . . .

This is mandatory. Conversely, article 25 provides:

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

In the light of the relationship between the Security Council and the General Assembly, by which all members are represented, a recommendation of this nature coming from the General Assembly will no doubt receive particular attention from the members sitting on the Security Council.

This first paragraph does not abridge the unanimity rule of voting. On the contrary, it gives it life—vitality. As I have said, it would make the Security Council efficient with respect to matters in which it is sometimes now stultified. It is proposed at this time because the three years of practice in the Security Council has developed an unforeseen and willful use of the veto based on minority interpretation, contrary to majority decision.

Now I shall advance to paragraph 2 of the resolution. It contains a recommendation to the permanent members of the Security Council that they seek agreement among themselves upon what possible decisions of the Security Council they might forbear to exercise their veto when seven affirmative votes are cast in the Council in support of such decisions. In seeking agreement, the permanent members are to give favorable consideration to the list of decisions compiled by the Interim Committee. The theory upon which the Interim Committee prepared this list was that if the permanent members could agree to refrain from using their veto with reference to such decisions, the Security Council would be able to perform its responsibilities more promptly and effectively. The types of decision dealt with here thus differ from those contained in the first recommendation because some of them are unquestionably of substance while as to others there may be differing views upon whether they are substantive or procedural. Indeed, the Interim Committee has indicated clearly that the insertion of decisions in this list was not governed by the criterion of their procedural or nonprocedural character. The most important decisions contained in this list are not procedural, such as, for example, the decision on the admission of a new member and certain pacific settlement matters under chapter VI of the Charter. In this connection, I would recall that the United States is on record as favoring a liberalization of the voting procedure of the Security Council through elimina-

tion by whatever means that may be appropriate of the unanimity requirement with respect to applications for membership and to matters arising under chapter VI of the Charter.

Neither the first nor the second recommendation in the resolution before us violates the spirit of the statement of the four sponsoring powers at San Francisco. During the debate there upon the voting formula, a questionnaire was addressed to the sponsoring powers by the smaller powers. The sponsoring powers thereupon undertook to make a joint interpretation of the voting formula, insofar as such an interpretation of a basic constitutional provision could appropriately be made in advance of its adoption, and in the absence of any practical experience as to the operation of the Organization or of the Security Council. This statement is not a treaty, nor was it intended to be any part of the treaty which is the Charter. By its own words it is characterized as a "statement of their general attitude toward the whole question of unanimity of permanent members in the decisions of the Security Council." It was connected with the act of agreement upon the Charter and is therefore entitled to great weight in that connection. It is nevertheless inferior to the Charter and must be subservient to its principles and purposes. Certainly its natural meaning should not be extended by willful obstruction.

The four-power statement contained an expression of hope that there would not arise matters of great importance upon which a decision would have to be made as to whether a procedural vote would apply. Experience since San Francisco has shown that this optimistic expectation has not been realized, and the first recommendation is based on a recognition of this fact. This recommendation should be of assistance to the Security Council in determining whether or not a question is procedural. The four-power statement made it clear that the enumeration of procedural questions which it contained was not exclusive. Furthermore, it in no way foreclosed advance agreement as to what questions should be considered procedural. It did not say that a question should be considered nonprocedural simply because one of the permanent members so regards it. The four-power statement cannot enjoy a position of supremacy over the Charter.

The four-power statement contained another explicit assumption, which has proved contrary to fact; that the permanent members would not use their privileged vote "willfully to obstruct the operation of the Council." The powers participating in the statement thus recognized that self-restraint upon the part of the permanent members was necessary and to be expected if the Security Council was to function as intended. If this be true it would seem quite proper for the Assembly in light of experience to recommend to the permanent members that if they are unable, after genuine effort, to achieve unanimity among them-



selves on certain decisions not immediately concerning their vital interests they should agree among themselves not to exercise the veto in those decisions. Such agreement among the permanent members is the objective of the second recommendation.

For the reasons I have stated, the four-power statement in the view of my Government constitutes no barrier to such agreement. The parties to that statement are free to explore, as this resolution attempts to do, how better voting procedures can be put into operation.

The third recommendation of the draft resolution suggests to the permanent members a "code of conduct" which they should observe in connection with their privileged vote. They are to consult together wherever feasible and to exercise their veto only when they consider a question of vital importance, taking into account the interests of the United Nations as a whole, and to state upon what ground they consider this condition to be present.

All permanent members are on record as favoring consultations. We believe that these consultations should take place whenever there is a possibility of obtaining constructive results. These consultations should take place not only with reference to specific matters before the Council; above all, the method of consultation should be applied as one of the means of implementing the recommendations contained in the draft resolution.

This resolution was sponsored by four permanent members and aroused the support of an impressive number of member states. The vote in the *Ad Hoc* Committee of the General Assembly was yeas 33, nays 6, abstentions 4.

It ought to gain strength in the vote of the General Assembly. Its purpose and natural tendency is to make the United Nations more effective in its vital functions.

## U.S. Participation in Continued U.N. Appeal for Children

### LETTER FROM SECRETARY ACHESON TO SECRETARY-GENERAL LIE<sup>1</sup>

April 4, 1949

EXCELLENCY: I have the honor to acknowledge the receipt of your note dated February 28, 1949 in which you indicate a desire to be advised of the intention of the United States Government with regard to General Assembly Resolution No. 215 III in which it was decided to continue the United Nations Appeal for Children. You also request information as to whether the United Nations International Children's Emergency Fund should maintain contact with the Campaign organization which functioned in the United States in 1948 or whether other channels of communication are to be followed.

The United States Government and the American people have a deep concern for the plight of needy children of the world. They have shown this concern from the outbreak of World War II and continuously in the years since, through the provision of funds by the Congress and through voluntary private contributions. The United States Government has appropriated \$75,000,000 to be made available to the United Nations International Children's Emergency Fund under a matching formula of 72% from the United States Government and 28% from other governments. In addition it has provided funds for a free school lunch program for children in Germany and has made a number of other appropriations for foreign relief, a large part of which has been of benefit to children.

In addition to Government appropriations, extensive contributions have been made by the American people through voluntary relief agencies largely for the welfare of children. These gifts are estimated to approximate \$1,000,000,000 in value since 1939 and in the current year will amount to over \$150,000,000.

In the light of the interest in the Fund already demonstrated by the United States and in view of the continuing needs of the children of the world plans are being developed for informing the American people of these needs and of the work of the Fund and for giving them full opportunity to contribute to it. These plans are as follows:

1. Responsibility for informing and enlisting the interest of the public in the work of the Fund will be vested in the United States Committee for the United Nations International Children's Emergency Fund under the Chairmanship of Mrs. Oswald Lord. The Committee will also maintain liaison with American voluntary agencies to assist in coordinating their child welfare programs in countries where the Fund operates, with programs of the Fund. The activities of this Committee will be carried on under policies developed with

<sup>1</sup> Reply to query from the United Nations Secretary General, Trygve Lie, about the intention of the United States with regard to General Assembly resolution in which it was decided to continue the United Nations Appeal for Children. Released to the press by the U.S. Mission to the United Nations Apr. 4, 1949.

April 24, 1949

the advice of the Department of State and the United States Representative on the Executive Board of the Fund.

2. The United States Committee will direct its activities especially toward

(a) keeping the American people informed through such media as the press, radio, magazines and public addresses, of the needs of children and of the operations of the Fund,

(b) encouraging and coordinating efforts by groups and organizations which may undertake to make or obtain contributions for the work of the Fund, and

(c) acting as the agency in the United States through which contributions from voluntary sources will be channeled to the Fund.

3. In order to carry out its functions the United States Committee will form an advisory group which will include representatives of business, labor, farm, professional, religious, patriotic and men's and women's clubs and associations. It will also employ a small salaried staff.

Official relationship between the Fund and this Government should continue to be carried on through normal governmental channels. However, it would greatly facilitate the work of the United States Committee if advice and informational material could be provided by the Fund to the Committee and it is hoped that the Fund will maintain close informal relationships with the Committee for this purpose.

Accept [etc.]

DEAN ACHESON

*Secretary of State of the United States of America*

### **Resolution Extending Through 1949 the U.N. Appeal for Children**

U.N. res. 215, III  
Adopted Dec. 8, 1948

The General Assembly,

NOTING the widespread response to the United Nations Appeal for Children, the large number of countries which have co-operated in the conduct of national campaigns, and the co-operation and support for the Appeal provided by non-governmental organizations,

RECOGNIZING that the aftermath of devastation and dislocation resulting from war has revealed specific needs of children in many countries and that a moral responsibility falls on the peoples of all countries to act for the greater well-being of children throughout the world,

NOTING, with approval, the provisions of resolution 162 (VII) adopted by the Economic and Social Council on 12 August 1948,

1. *Continues* the United Nations Appeal for Children as a world-wide appeal for voluntary non-governmental contributions to be used for the

benefit of children, adolescents, and expectant and nursing mothers without discrimination on account of race, religion, nationality, or political belief;

2. *Invites* the co-operation of peoples of all countries to assist and support national activities in favour of the Appeal;

3. *Decides* that the proceeds of the collections in each country shall be for the benefit of the United Nations International Children's Emergency Fund, and that the name United Nations Appeal for Children shall be used only in national campaigns which are conducted for this purpose, subject to the provisions of resolution 92 (I) of the General Assembly governing the use of the United Nations name and abbreviations of that name;

4. *Requests* the United Nations International Children's Emergency Fund, as the United Nations agency entrusted with special responsibility for meeting emergency needs of children in many parts of the world:

(a) To assist in the conduct of national campaigns for the benefit of the International Children's Emergency Fund, with a view to providing international co-ordination of voluntary governmental and non-governmental appeals for the benefit of children;

(b) To report concerning the appeals to the ninth session of the Economic and Social Council and to the fourth regular session of the General Assembly.

### **Opinions of International Court of Justice Announced**

*Statement by Secretary Acheson*

[Released to the press April 18]

Two opinions which have just been announced by the International Court of Justice call attention again to the effective functioning of the judicial process in the United Nations.

On Saturday, April 9, the International Court handed down its first judgment in a contentious case between two states. The United Kingdom had sued Albania for damages resulting from the mining of two British destroyers in the Corfu Channel on October 22, 1946. While the opinion has not yet been received and read in the Department of State, the Court apparently held Albania responsible under international law for the damage caused. Eleven of the sixteen sitting judges concurred in the decision. The Court did not assess damages, but decided to hold further hearings if the two parties accept its competence to assess the amount. It held also that British vessels on one occasion had violated Albanian sovereignty but that the declaration to this effect by the Court constituted adequate satisfaction to Albania.



Yesterday the International Court handed down its second advisory opinion. The opinion was rendered at the request of the General Assembly on the question whether the United Nations could sue governments for injury caused to the organization or any of its agents in the discharge of United Nations functions. The Court held unanimously that the United Nations could claim compensation from any government, whether it is a member of the United Nations or not, for any damage incurred by the organization when the government is legally responsible for injury to an agent of the United Nations.

### **Palestine Relief Contribution**

[Released to the press by the U.S. Mission to the U.N. April 11]

On April 11, Ambassador Warren R. Austin presented Secretary-General Trygve Lie with a check for 8 million dollars as the first payment of the United States for the relief of Palestine refugees. A contribution of 16 million dollars was authorized by the Congress on March 16, after President Truman had recommended that the United States contribute 50 percent of the amount requested in the U.N. resolution for Palestine refugee relief.<sup>1</sup>

This resolution, sponsored by Belgium, the Netherlands, the United Kingdom, and the United States, and passed unanimously by the General Assembly on November 19, 1948, requests the Secretary-General to appoint a Director of United Nations Relief for Palestine Refugees, and urges the member states to make voluntary contributions in kind or in funds to raise 32 million dollars for the program.

#### *Statement by Ambassador Warren R. Austin*

The conscience of the world has been aroused by the desperate plight of the Palestine refugees, now scattered and homeless in the Middle East. The General Assembly, last November, considered this problem so urgent that all considerations of international politics were dropped from the debate and a resolution to request the member nations to contribute to the aid of this mass of unfortunate people was passed unanimously.

The United States and the other countries who have contributed to this fund act out of humanitarian concern for the suffering of almost a million sorely tried human beings. But they also act in enlightened self-interest.

I think that we are all learning that the plight of suffering people anywhere is a matter of concern to all of us. We now know that the peace of the whole world is threatened by unrest and instability in any part of the world. And unrest and political instability thrive in a land where so many are without the bare necessities of life, even without hope, unless we give it to them.

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The Assembly resolution states clearly the general belief that alleviation of conditions of starvation and distress among the Palestine refugees is one of the minimum conditions for the success of the efforts of the United Nations to bring peace to that land.

Therefore it is particularly gratifying, at this time when the prospect of a Palestine settlement is brighter than it has been in many months, to add this sum to the gifts of other peoples for the relief of the Palestine refugees.

### **Current United Nations Documents: A Selected Bibliography<sup>2</sup>**

#### **Security Council**

##### **Official Records, Third Year**

- 380th Meeting: 15 November 1948. No. 125. 29 pp. printed. 30¢.
- 381st Meeting: 16 November 1948. No. 126. 56 pp. printed. 60¢.
- 382nd Meeting: 25 November 1948. No. 127. 29 pp. printed. 30¢.
- 383rd Meeting: 2 December 1948. No. 128. 25 pp. printed. 30¢.
- 1949. S/1234. 4 pp. mimeo.
- Interim Report of the United Nations Commission for India and Pakistan. S/1100. 22 November 1948. 77 pp. and 28 annexes. mimeo.
- Report of the Administration of the British/United States Zone of the Free Territory of Trieste. 1 July to 30 September 1948. S/1174, January 5, 1949. II, 37 pp. mimeo.
- Letter Dated 10 January 1949 from the Chairman and Rapporteur of the United Nations Commission for India and Pakistan Addressed to the President of the Security Council Transmitting the Second Interim Report of the Commission. S/1196, January 10, 1949. 35 pp. mimeo.
- Letter, Dated 30 November 1948, from the Acting Mediator to the Secretary-General Transmitting a Report Concerning the Deaths of United Nations Observers. S/1090, 2 December 1948. 10 pp. mimeo.

#### **General Assembly**

##### **Official Records of the Third Session**

- Second Part of the Report of the United Nations Temporary Commission on Korea. Volume II—Annexes I-VII. Supplement No. 9 (A/575/Add.4). 38 pp. Printed. 40¢.
- First Part of the Report of the United Nations Temporary Commission on Korea. Volume III—Annexes IX-XII. Supplement No. 9 (A/575/Add.2). 304 pp. Printed. \$3.00.
- Progress Report of the United Nations Mediator on Palestine. Supplement No. 11 (A/648). 57 pp. Printed. 70¢.
- Supplementary Report of the United Nations Special Committee on the Balkans, Covering the period from 17 June to 10 September 1948. Supplement No. 8A (A/644). iv, 17 pp. Printed. 25¢.

<sup>1</sup> BULLETIN of Feb. 20, 1949, p. 235.

<sup>2</sup> Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, New York. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.



## The United States in the United Nations

[April 16-22]

### Human Rights in Bulgaria and Hungary

The *Ad Hoc* Political Committee of the General Assembly on April 19 began consideration of the question of observance in Bulgaria and Hungary of human rights and fundamental freedoms, including religious and civil liberties, with special reference to recent trials of church leaders. Before beginning general debate, the Committee agreed to invite representatives of Bulgaria and Hungary to participate in the debate, but without vote. Three principal draft resolutions on suggested procedures for dealing with this question were submitted.

A Cuban draft proposed the establishment of a special 15-member fact finding committee to elucidate the acts alleged to have been committed in Bulgaria and Hungary against human rights and fundamental freedoms.

A second draft resolution, submitted by Bolivia, proposed that the General Assembly express its "deep concern," support the steps taken by the states signatories to the peace treaties regarding the accusations, and retain the matter on the agenda for the fourth session of the Assembly.

A third draft resolution, submitted by Australia, proposes the establishment of a smaller committee of inquiry to investigate the matter.

The U.S. Delegate Benjamin V. Cohen on April 19 stated that the issues involved in this case were of "intense interest" to the entire international community. There was no intention on the part of the United States, he added, to interfere in the national affairs of Bulgaria or Hungary or to favor any particular political groups; however, although these states under the peace treaties had undertaken to safeguard the civil and religious liberties of their people, they had violated human rights in a "deliberate, systematic and continuous" manner.

The Soviet Delegate Malik presented on April 21 a 70-minute defense of human rights in Hungary and Bulgaria and asserted the trial of the churchmen there was in accordance with that part of the two peace treaties calling for disbanding of all "fascist" organizations. Mr. Cohen repudiated as "baseless and absurd" charges that the United States had conspired with the accused clergymen, and remarked that those who profess to want a friendly and peaceful world should act in this spirit.

### Freedom of Information

Continuing on article-by-article consideration of the draft convention on the gathering and inter-

national transmission of news, the General Assembly Social, Humanitarian and Cultural Committee reached agreement on six additional articles. The Committee also voted to merge with the newsgathering convention the second draft convention providing for the establishment of an international right of official correction to provide protection against false or distorted reporting likely to injure friendly relations between nations. A Norwegian proposal for referring disputes over the "right of correction" provisions to the International Court of Justice for arbitration was also adopted.

Full access to news, within the national security limits, would be provided to all foreign correspondents in states acceding to this convention, according to the approved article 3.

Article 4 provides that governments should not censor peacetime news dispatches going abroad unless they relate directly to national defense. The United States Delegate Erwin Canham said that the United States would have preferred no provisions at all validating peacetime censorship since this Government opposes peacetime censorship in any form. If the definition included in article 4 were not included in the draft convention, however, Mr. Canham said that other articles might be interpreted as allowing even broader censorship. The Committee rejected an amendment proposed by Poland that would permit censorship "within the limits laid down by the laws and regulations providing for national security."

Article 5 provides that a correspondent lawfully admitted by a contracting state cannot be expelled on account of any lawful exercise of his rights as a correspondent.

Article 6 gives to such correspondents or information agencies equal access to all transmission facilities used generally and publicly for news dispatches, and at the general rates.

The seventh article would give equal rights and opportunity for dispatches of correspondents and information agencies outside a particular contracting state to be transmitted into that state. A limiting Polish proposal was rejected.

Debate on the final article was delayed until the delegates could hear from their countries concerning the U. S. proposal submitted by Mrs. Roosevelt that, in view of the apparent conflict between provisions of this article and the sweeping restrictions on telecommunication contained in the International Telecommunication Union convention, signatories of the present convention waive their rights of restriction under the ITU convention.

### International Law Commission

The ILC in a topic-by-topic discussion of the U. N. Secretariat's survey of international law in relation to codification tentatively approved 14 topics as suitable for codification. The first three were selected as "priority" items. The selected topics included law of treaties, diplomatic intercourse and immunities, consular intercourse and immunities, law of state responsibility, law of arbitral procedure, the regime of territorial waters, the law of nationality, the treatment of aliens, right of asylum, recognition of states, succession of states and governments, jurisdiction over foreign states, jurisdiction with regard to crimes committed outside national territory, and the regime of the high seas. The Chairman, Manley O. Hudson, of the U. S., in suggesting two of the three topics given priority, said that in view of past failures, the Commission should choose subjects on which it has a good chance to arrive at a result.

Among the rejected topics was the proposal to include the law of war, which was opposed vigorously by most of the members. In the discussion Mr. Hudson drew attention to the opinion as stated in the Secretariat report that the codification plan should not include the laws of war since the United Nations Charter excluded the concept of its legality.

### Italian Colonies

The General Assembly 58-nation Political & Security Committee continued general discussion on disposal of Italy's former African colonies in seven lengthy meetings during the week without reaching agreement. The debate to date has developed, in general terms, resulting in four principal types of proposals, with variations within the categories. The Soviet bloc recommended a United Nations trusteeship. India and Pakistan have supported this position with certain modifications. Italian Foreign Minister Sforza has made a bid for Italian trusteeship. A large number of South American states and some Western European states share this view. The Arabs have placed emphasis on independence for a unified Libya. The United States suggestions supported by the United Kingdom were that Eastern Eritrea be ceded to Ethiopia, that Italy administer Italian Somaliland under a United Nations trusteeship, and that Cyrenaica in Eastern Libya be placed under British administration regardless of the decision of whether to deal with Libya as a whole or in part, and that Libya should be placed under a United Nations trusteeship with primary emphasis on achieving early independence.

On April 20, the Australian Delegate suggested the establishment of a special commission with powers to visit the former colonies, and if necessary to investigate, analyze, and collate data and report recommendations for settlement of the question to the September session.

### General Assembly Procedure

The *Ad Hoc* Political Committee of the General Assembly approved April 18 a Scandinavian proposal to establish a 15-member committee to consider methods and procedures for expediting General Assembly functioning. By this proposal the special committee, of which the United States would be one of the members, would report to the Secretary General by August 15 and, if possible, to the present session of the General Assembly. The Soviet bloc abstained in the voting.

### Commission for India and Pakistan

The UN Commission for India and Pakistan on April 15 presented both dominions with proposals for a truce agreement in the state of Jammu and Kashmir, pending a plebiscite to determine whether the state goes to India or Pakistan. The Commission said that the proposals represent an adjustment of viewpoints within the framework of commitments already entered into.

### IRO

The Iro has announced plans for opening youth centers for teen-aged displaced persons in Austria, Italy, and the U.S. zone of Germany. The experimental center, which opened in August in the British zone, where about 60 adolescents of both sexes assembled in a community, was so successful that similar centers were planned. The stay of the young people in the center is expected to be short, but the aim is to give them in addition to a general knowledge of secondary education and language training a basis for good physical and moral health and for vocational guidance.

### International Trade Organization

More than 500 delegates and assistants have assembled in Annecy, France, for the largest trade meeting ever convened to discuss tariff barriers and other problems of international trade. These representatives from 34 countries have assembled under the auspices of the 23 countries comprising the original contracting parties to the General Agreement on Tariffs and Trade, which resulted from tariff negotiations held at Geneva in 1947. It is expected that three months of continuous sessions will be necessary to complete the negotiations. The United States is one of the original contracting parties.



## INTERNATIONAL ORGANIZATIONS AND CONFERENCES

### Opening of Tariff Negotiations at Annecy, France

#### Message From Secretary Acheson<sup>1</sup>

I wish to take this opportunity to extend my greetings to you who have gathered in Annecy to participate in the third session of the contracting parties to the General Agreement on Tariffs and Trade and the ensuing tariff negotiations.

The United States Government believes that effective international cooperation in economic matters is essential to the success of any program for assuring a lasting peace and that it can and should take a variety of forms. Moreover, effective international economic achievement requires the active participation of many countries on a cooperative democratic basis.

We in the United States firmly support and participate in the economic activities of the United Nations and its specialized agencies. We are also giving special help to the countries which have chosen to participate in the European Recovery Program. In his inaugural address, President Truman recently stated that the United States stands ready to join with other countries to promote economic development by facilitating the exchange of technological information and stimulating the flow of capital. In his Economic Report to the Congress in January the President pointed out that the Havana Charter for an International Trade Organization lays the foundation for a return to reasonable freedom of world trade. He is expected to send the charter shortly to the Congress for approval.

On a par with these cooperative endeavors and of longer standing is the program to reduce trade barriers and eliminate discriminatory trade practices through trade-agreement negotiations. This program is of great value in its own right and is essential to the permanent success of other programs of economic cooperation. The conclusion of the General Agreement on Tariffs and Trade between 23 countries at Geneva in 1947 laid a firm foundation for the sound expansion of trade. The adherence of 11 additional countries to the General Agreement will mark another important milestone in our progress toward world recovery. I send you my sincere best wishes for a full measure of success in your important deliberations.

#### U. S. Delegation

The Department of State on April 5 announced that the President has approved the composition of the United States Delegation to the third ses-

sion of the contracting parties to the General Agreement on Tariffs and Trade and the tariff negotiations with 11 countries desiring to accede to the General Agreement, which convened at Annecy, France, on April 8 and April 11, 1949, respectively.

The chairman of the delegation was Woodbury Willoughby, Chief, Division of Commercial Policy, Department of State, and the Vice Chairman was John W. Evans, Director of the Commodities Division of the Office of International Trade, Department of Commerce. The remaining delegates were the other members of the interdepartmental Trade Agreements Committee, of which Mr. Willoughby is chairman.

The meeting of the contracting parties considered various technical matters affecting the present operation of the General Agreement on Tariffs and Trade, concluded at Geneva in 1947, and future procedures with regard to it.

The tariff negotiations between the 23 contracting parties to the General Agreement and the 11 countries which desire to accede to it extended the area and volume of world trade covered by this unprecedented agreement for the reduction of excessive trade barriers.

The countries which negotiated for the purpose of acceding to the General Agreement on Tariffs and Trade are Denmark, Finland, Sweden, Italy, Greece, Liberia, Haiti, Dominican Republic, Nicaragua, Colombia, and Uruguay. Peru and El Salvador, which originally planned to join in the negotiations, have indicated that they are not able to begin negotiations at this time.

In preparation for the negotiations the United States has followed the customary trade-agreements procedures. Notice of intention to negotiate and lists of products on which possible United States tariff concessions may be considered were published on November 5 and December 17, 1948, and public hearings were held by the Committee for Reciprocity Information on December 7-14, 1948, and on January 25-27, 1949.

A list of the members of the United States Delegation follows:

#### Chairman

Woodbury Willoughby, Chief, Division of Commercial Policy, Department of State, and Chairman, Interdepartmental Trade Agreements Committee

<sup>1</sup> Read at the session by Woodbury Willoughby, Chairman of the U.S. Delegation on Apr. 11, 1949, and released to the press on the same date.



#### *Vice Chairman*

John W. Evans, Director, Commodities Division, Office of International Trade, Department of Commerce

#### *Delegates*

Philip Arnow, Economist, Department of Labor  
Prentice N. Dean, Division of International Programs, National Military Establishment  
Iver Olsen, Assistant Chief, Commercial Policy and United Nations Division, Department of the Treasury  
Robert B. Schwenger, Chief, Regional Investigations Branch, Office of Foreign Agricultural Relations, Department of Agriculture

#### *Advisers*

Walter Hollis, Assistant to the Legal Adviser, Department of State  
Vernon L. Phelps, Adviser on European Commercial Affairs, Division of Commercial Policy, Department of State  
George Bronz, Special Assistant to the General Counsel, Department of the Treasury  
William R. Johnson, Deputy Commissioner of Customs, Bureau of Customs, Department of the Treasury  
Carl E. Christopherson, Foreign Service Officer, Office of International Trade, Department of Commerce  
H. P. MacGowan, Adviser on Trade Agreements Policy, Office of International Trade, Department of Commerce  
Floyd E. Davis, Acting Head, Livestock and Wool Division, Office of Foreign Agricultural Relations, Department of Agriculture  
Lionel C. Holm, Executive Assistant to the Administrator, Production and Marketing Administration, Department of Agriculture  
F. A. Motz, Attaché, American Embassy, Paris  
George B. Rogers, Agricultural Economic Statistician, Bureau of Agricultural Economics, Department of Agriculture

#### *Tariff Negotiating Teams*

##### **DENMARK-FINLAND**

Prentice N. Dean, *Head*, Division of International Programs, National Military Establishment  
Julean Arnold, Jr., Country Specialist, Division of Commercial Policy, Department of State  
H. P. MacGowan, Adviser on Trade Agreements Policy, Office of International Trade, Department of Commerce

##### **SWEDEN**

Avery F. Peterson, *Head*, Counselor, American Embassy, Stockholm  
H. Arnold Quirin, Country Specialist, Division of Commercial Policy, Department of State  
Grant Olson, Analyst, Scandinavian Section, Office of International Trade, Department of Commerce

##### **ITALY**

Homer S. Fox, *Head*, Counselor, American Embassy, Ottawa  
John M. Kennedy, Country Specialist, Division of Commercial Policy, Department of State  
Carl E. Christopherson, Foreign Service Officer, Office of International Trade, Department of Commerce  
Howard F. Shepston, Analyst, Italian Section, Office of International Trade, Department of Commerce

##### **GREECE AND LIBERIA**

Horace H. Smith *Head*, First Secretary, American Embassy, Athens  
C. Thayer White, Country Specialist, Division of Commercial Policy, Department of State  
Samuel Goldberg, Acting Chief, Near East-Africa Section, Office of International Trade, Department of Commerce

##### **DOMINICAN REPUBLIC-HAITI**

Daniel M. Braddock, *Head*, First Secretary, American Embassy, Madrid  
Amelia Hood, Country Specialist, Division of Commercial Policy, Department of State

Albert J. Powers, Chief, Caribbean Section, Office of International Trade, Department of Commerce

##### **COLOMBIA, URUGUAY, AND NICARAGUA**

Howard H. Tewksbury, *Head*, Chief, Division of River Plate Affairs, Department of State  
Elizabeth McGrory, Country Specialist, Division of Commercial Policy, Department of State  
William F. Gray, Country Specialist, Division of Commercial Policy, Department of State  
Anthony J. Poirier, Tariff and Trade Agreements Specialist, Office of International Trade, Department of Commerce  
Frederick R. Mangold, Foreign Service Staff, Office of International Trade, Department of Commerce

#### *Consultants*

Ben Dorfman, Chief Economist, United States Tariff Commission  
G. Patrick Henry, Economist, United States Tariff Commission  
Willard W. Kane, Commodity Specialist, United States Tariff Commission  
Hyman Leikind, Commodity Specialist, United States Tariff Commission  
Allyn C. Loosley, Principal Economist, United States Tariff Commission  
David Lynch, Principal Economist, United States Tariff Commission

#### *Commodity Specialists*

Thomas C. Mason, Commodity Analyst, Forest Products Branch, Office of International Trade, Department of Commerce  
William H. Myer, Assistant Chief, Machinery and Motive Products Branch, Office of International Trade, Department of Commerce  
J. Joseph W. Palmer, Chief, Iron and Steel Section, Office of International Trade, Department of Commerce  
Nathan B. Salant, Chief, Economic Programs Section, Textile and Leather Branch, Office of International Trade, Department of Commerce  
George A. Sallee, Chief, Dairy, Poultry and Fish Products Section, Office of International Trade, Department of Commerce

#### *Secretariat: Special Assistant to the Chairman*

Arthur C. Nagle, Foreign Affairs Specialist, Division of International Conferences, Department of State

#### *Technical*

##### *Technical Secretary*

James H. Lewis, Acting Assistant Chief, Division of Commercial Policy, Department of State

##### *Trade Agreements Committee Staff*

Robert W. Shaw, Foreign Affairs Analyst, Committee Secretariat Branch, Department of State  
George C. Spiegel, Country Specialist, Division of Commercial Policy, Department of State  
M. Marguerite Dotye, International Trade Economist, Department of Commerce  
M. Margaret McCoy, Divisional Assistant, Division of Commercial Policy, Department of State

### **Rubber Study Group: Sixth Meeting Ends**

The Department of State received word on April 5 that the Sixth Meeting of the Rubber Study Group, held in London under the chairmanship of Sir Gerard Clauson, K.C.M.G., O.B.E., Assistant Under Secretary of State, Colonial Office, ended on April 1, 1949. The Vice Chairmen were A. Pirelli, of the Italian Delegation, and W. A. David, of the Liberian Delegation.

April 24, 1949

The meeting was attended by delegations from Australia, Belgium, the British Colonies, Burma, Canada, Ceylon, Czechoslovakia, Denmark, France, Hungary, Italy, Liberia, the Netherlands and Indonesia, the United Kingdom, and the United States and by observers from the United Nations Interim Co-ordinating Committee for International Commodity Arrangements and from the International Rubber Development Committee. A representative of Siam was also present. Donald D. Kennedy, Chief, International Resources Division, Department of State, was chairman of the United States Delegation.

The principal objects of the meeting were:

1. To examine the statistical position regarding the production and consumption of rubber throughout the world.
2. To review the world rubber situation in the light of the changes in that position since the fifth Study Group Meeting held in Washington in April, 1948.
3. To consider measures designed to expand world consumption of rubber.

The group examined the statistical position and made estimates for natural rubber production and consumption of natural and synthetic rubber during 1949. It was estimated that the world production of natural rubber would be in the neighborhood of 1,575,000 long tons and consumption of natural and synthetic rubber might be in the neighborhood of 1,450,000 and 450,000 long tons, respectively.

These figures make no allowance for governmental stockpiling. Tables 1 and 2 give the estimates made by the group.

Much of the time of the meeting was devoted to national statements by the delegations present, and full opportunity was given to the delegations to question one another. Among the subjects to which attention was drawn were the present economic position of the producers of natural rubber and social conditions in their countries, recent advances in the synthetic rubber industry, the grading and packing of natural rubber, and the costs and prices of both types of rubber.

The group continued its policy of examining all possible means for encouraging the expansion of the world consumption of rubber. The group recognized that a great deal of valuable development work on existing rubber products was being done throughout the world, and considered that the most immediate large-scale increase in the consumption of rubber would be achieved by an intensification of this work, particularly in certain fields.

The group emphasized the great importance which it attached to the speedy application of the results of research into new uses of rubber. In this connection, the group paid a tribute to the work of the International Rubber Development

Committee and invited the Committee to continue to send observers to its meetings.

The group were informed of the intention of the French producers to grade and market their rubber on its intrinsic properties (to be known as specification rubber) as well as on external appearance.

The Rubber Study Group will hold its next meeting some time during the second quarter of 1950, the precise date and the place to be decided by the management committee.

Table 1.—Estimated natural rubber production, 1949

Territory:	1,000 long tons	1,000 long tons
Malaya . . . . .	700	British Borneo . . . . . 62
Indonesia . . . . .	500	Burma . . . . . 12
Ceylon . . . . .	90	Liberia . . . . . 27
Indochina . . . . .	45	Other countries . . . . . 139
		Total . . . . . 1,575

Table 2.—Estimated natural and synthetic rubber consumption, 1949

Territory	Natural	Synthetic <sup>1</sup>	Total
	1,000 long tons	1,000 long tons	1,000 long tons
U.S.A. . . . .	600	410	1,010
U.K. . . . .	183	2	185
France . . . . .	97	8	105
Netherlands . . . . .	10	( <sup>2</sup> )	10
Belgium . . . . .	15	( <sup>2</sup> )	15
Czechoslovakia . . . . .	30	. . . . .	30
Italy . . . . .	33	3	36
Denmark . . . . .	5	( <sup>2</sup> )	5
Hungary . . . . .	3	. . . . .	3
Australia . . . . .	30	( <sup>2</sup> )	30
Canada . . . . .	40	20	60
Other countries . . . . .	404	7	411
Total . . . . .	1,450	450	1,900

<sup>1</sup> Excluding Russian-produced synthetic rubber.

<sup>2</sup> A small amount is expected to be used.

## U. S. Delegation to Conference for Drawing Up Convention for Protection of War Victims

The Department of State announced on April 11 that the President has approved the designation of Leland Harrison, former American Minister to Switzerland and Raymund T. Yingling, Assistant Legal Adviser, Department of State, as Chairman and Vice Chairman, respectively, of the United States Delegation to the Diplomatic Conference for the Drawing Up of a New Convention Intended to Protect War Victims. The conference is scheduled to convene at Geneva on April 21, 1949. Other members of the United States Delegation are as follows:

Albert E. Clattenburg, Jr., First Secretary, American Embassy, Lisbon  
Brig. Gen. Joseph V. Dillon, Provost Marshal General, Department of the Air Forces

Department of State Bulletin



Robert W. Ginnane, Special Assistant to the Attorney General, Department of Justice  
Commander Charles Hunsicker, Jr., Head, International Law Branch, Office of the Judge Advocate General, Department of the Navy  
William H. McCahon, Special Assistant to the Chief, Division of Protective Services, Department of State  
Maj. Gen. Edwin P. Parker, Jr., Provost Marshal General, Department of the Army  
Harold W. Starr, Associate Counselor, American National Red Cross

The Conference will consider the revision of the two Geneva conventions of 1929 relative to the treatment of the sick and wounded and prisoners of war, and the revision of The Hague convention of 1907 concerning naval warfare, which is commonly referred to as the hospital ships convention. Also to be discussed will be the establishment of a new convention on the treatment of civilians in wartime.

It is expected that the forthcoming Conference will be divided into two parts. The first four or five weeks will be devoted to a detailed review and final drafting of the proposed revisions of the conventions. After a short adjournment the second part of the Conference will be held for the formal signing of the new conventions.

This Government participated in preliminary informal discussions on this subject at a meeting of government experts convened at Geneva under the auspices of the International Committee of the Red Cross in April 1947. At that meeting, 14 countries were represented, and considerable progress was made in the formulation of revised and new draft conventions. These discussions were continued on a somewhat broader scale at the Seventeenth International Red Cross Conference held at Stockholm in August 1948, in which 49 governments and 51 national Red Cross societies participated.

#### **American Educator To Visit Latin American Law Schools**

Philip W. Thayer, Dean of the School of Advanced International Studies, Washington, D. C., has been awarded a grant-in-aid by the Department of State for a visit of approximately five weeks beginning March 31 to six of the other American republics to confer with university officials and others on problems of mutual interest in the field of legal education. This trip is in continuation of a project initiated last year when Mr. Thayer made a similar visit to the University of Habana. His present trip will include visits to the principal cities of Uruguay, Argentina, Chile, Peru, Ecuador, and Colombia, where he will confer with deans and faculty members of law schools and with other leaders in the field of law, concerning arrangements for a subsequent interchange of ideas on a continuing basis.

April 24, 1949

## **World Trade Week, 1949**

### **A PROCLAMATION<sup>1</sup>**

WHEREAS international trade provides the medium by which the nations of the world exchange the products of their resources and skills; and

WHEREAS the expansion of import and export trade improves standards of living, encourages full employment of labor and productive facilities, and speeds the development of human and natural resources throughout the world, thus laying the foundation for lasting world prosperity and peace; and

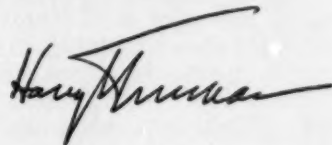
WHEREAS the United States advocates the removal of unnecessary restrictions and discriminations in international trade and accordingly has initiated a reciprocal-trade-agreements program and has taken steps in concert with other nations toward the establishment of an International Trade Organization:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the week commencing May 22, 1949, as World Trade Week; and I urge the appropriate officials of the several States, Territories, and possessions of the United States, as well as the municipalities and other political subdivisions of the country, to cooperate in the observance of that week.

I also invite business, educational, and civic groups, and the people of the United States generally, to observe World Trade Week with ceremonies, exhibits, and other appropriate activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 5th day of April in the year of our Lord nineteen hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.



By the President:

DEAN ACHESON,  
*Secretary of State.*

### **THE FOREIGN SERVICE**

#### **Confirmation**

On April 6, 1949, the Senate confirmed the nomination of John J. Muccio to be American Ambassador Extraordinary and Plenipotentiary to the Republic of Korea.

<sup>1</sup> Proc. 2834, 14 Fed. Reg. 1663.

## U.S., U.K., and France Reach Agreement on German Reparation Program

[Released to the press April 13]

The Department of State announced on April 13 that agreement had been reached by the Governments of the United States, United Kingdom, and France, as the powers responsible for occupation of the Western zones of Germany, for the revision of the lists of capital equipment to be removed from Western Germany as reparation. This revision was made in order to bring the reparation dismantling program into harmony with the European Recovery Program. Under it those plants which, if retained in Germany, can contribute most effectively to the coordinated economic revival of the countries participating in the European Recovery Program will be removed from the reparation dismantling list.

In accordance with the agreement reached by the three governments, certain equipment from 159 plants previously scheduled for removal as reparation will be retained in Germany. The amount of equipment which had previously been scheduled for removal from these plants varies from a single piece of equipment in a plant to the entire equipment of an operating factory. The removal of equipment not yet completely dismantled and removed will be completed as quickly as possible.

This agreement, which constitutes a final decision with regard to the removal of those plants originally selected in Western Germany, should enable both the Allied recipients of reparation and responsible authorities in Western Germany to plan promptly for the effective use of the equipment to be removed and that to be retained.

A revised list of plants subject to reparation has been communicated to the Inter-Allied Reparation Agency at Brussels by the three governments.

The equipment which will be retained in Germany is located in 32 plants in the steel industry, 88 metal working plants, 32 chemical plants, and 7 plants in the nonferrous metal industries.

Only 5 of the 32 affected plants in the steel industry produce crude steel. The retention of equipment in this industry will result in a nominal increase in the crude steel-making capacity of Western Germany of 165,000 tons per year beyond the present theoretical capacity of approximately 13,300,000 tons per year. The limitation on crude steel production in the three Western zones of Germany of 11,100,000 tons per year (being a total of 10,700,000 tons per year in the Bizone and 400,000 tons in the French zone) has not been changed. The difference between the actual production of steel under the limitation, and the

theoretical capacity of about 13,500,000 tons per year to be left in Western Germany is required for greater flexibility and economy of operation under conditions of changing demand for finished steel products.

These same reasons underlie the decision to retain the equipment in the steel-finishing plants which constitute the remainder of the 32 affected plants or part plants in the steel industry. The steel-finishing capacity in these plants which permits the fabrication of plates, sheets, and tubes, in addition to that previously permitted, is considered necessary if Germany is to use her crude steel-making capacity most effectively and make as great a contribution to European recovery as possible within the established limitation on production.

The revision of the list of plants was made at the suggestion of the U.S. Government. In proposing such a revision, the United States believed it appropriate that account be taken in the reparation program of the European Recovery Program and the participation of Western Germany in that program. The reparation program was designed to bring about the removal of capital equipment to Allied countries, where it could be usefully employed, when this equipment is in excess of German peaceful needs. The U.S. Government felt that, in view of the possibility which the European Recovery Program offered for meeting the new investment requirements of the Allied countries to an increased extent from new capital equipment, and of the possibility of more effective use of German resources in the interest of the common good of the countries participating in the European Recovery Program, a reexamination of the reparation program would be appropriate. ERP also offered new possibilities of achieving one of the aims of the reparation program, namely the rehabilitation of the economies of the European countries which had been dislocated during the war.

A preliminary examination of the list of plants scheduled for removal led the U.S. Government to select 381 for further study. This study was made by the Humphrey Committee (Industrial Advisory Committee), appointed by Paul Hoffman, Economic Cooperation Administrator. Mr. Hoffman had been charged by the Congress with making such a study in section 115 (f) of the Economic Cooperation Act, reading as follows:

The Administrator will request the Secretary of State to obtain agreement of those countries concerned that such capital equipment as is scheduled for removal from the



three western zones of Germany be retained in Germany if such retention will most effectively serve the purposes of the European recovery program.

This Committee was headed by George M. Humphrey, President of M. A. Hanna Company, and included Frederick V. Geier, President of Cincinnati Milling Machine Company; John L. McCaffrey, President of International Harvester Company; Gwilym A. Price, President of Westinghouse Electric & Manufacturing Company; and Charles E. Wilson, President of General Motors Corporation.

The Committee in turn engaged the services of four leading engineering firms to make a factual review of the chemical, nonferrous metal, and mechanical engineering plants. They also obtained the assistance of George Wolf, president of the United States Steel Export Corporation, and a group of his associates, to review the steel industry of Western Germany and to investigate the particular plants scheduled for reparation.

After a careful examination of the plants and consultation with British and French experts, the Committee submitted a report to the ECA Administrator on January 12, 1949, recommending the retention in Germany of certain equipment in 167 plants of the 381 which it has been requested to examine. The report of the Committee was approved by the Administrator who requested the Secretary of State to seek the agreement of the British and French Governments, as powers in occupation in Western Germany, to the retention of these plants in Germany. The Humphrey Committee report is being made public on April 13 by ECA.

Discussion among the governments resulted in agreement to remove from Germany the equipment in eight plants and part of a ninth which the Humphrey Committee had recommended be retained in Germany.

In addition to certain equipment in the 159 plants to be retained under the present agreement, the French Government, before the Humphrey Committee recommendations had been formulated, decided to retain in the French zone equipment in 40 other plants or parts of plants which had been included in the list of 381 examined by the Humphrey Committee.

The report of the Committee was discussed by the three Governments in conjunction with a report from the Military Governors of the Western zones of Germany on a revised list of prohibitions and restrictions which should be applied to German industry on security grounds. As a result of these discussions, coordinated agreements were reached by the three Governments on these sub-

jects. The revised list of prohibited and restricted industries, which has been furnished to the three military governments for implementation, will be made public shortly.

The Humphrey Committee recommended that the following plants be included among those retained in Germany. However, in the course of discussions among the Governments of France, the United Kingdom, and United States, it was agreed that these plants should be removed from Germany. The list follows:

Bochumer Verein Gusstahlfabrik, Bochum; Deutsche Edelstahlwerke (Tiegelstahl), Bochum; Klockner Werke A.G., Dusseldorf; August Thyssen Hütte, A. G. Niederrheinische, Duisburg; Hoesch A. G., Hohenlimburg; I. G. Farben, buna plant, Ludwigshafen; I. G. Farben, synthetic ammonia plant, Oppau; and I. G. Farben, chlorine and caustic-soda plant, Ludwigshafen. The final decision on the August Thyssen Hütte plant at Hamborn was to retain only the ore sintering and power generation equipment.

## Organization of Ruhr Authority

*Statement by Secretary Acheson*

[Released to the press April 13]

The organization of the International Authority for the Ruhr will commence as soon as the agreement of December 28, reached in London and recently approved by the three Foreign Ministers at their meeting here in Washington, has been formally signed in London.<sup>1</sup>

Once the agreement has been signed, an organization meeting will be summoned by the United Kingdom. This meeting will probably take place in London. At this meeting the organization of the Ruhr Authority will be worked out in detail. It is agreed that the Ruhr Authority will not begin exercising its functions until just before the German Federal Republic has been established. It was also difficult to do so until the Occupation Statute and the German Constitution had made further progress. There is therefore ample time for the organization of the Ruhr Authority to be perfected.

The United States member on the Council of the International Authority for the Ruhr has not yet been selected.

<sup>1</sup> For related materials see BULLETIN of June 20, 1948, p. 807; Jan. 9, 1949, p. 43; Apr. 3, 1949, p. 427; and Apr. 17, 1949, p. 499.

## **Occupation Statute as a Practicable Basis of Cooperation With Future German Government**

**STATEMENT BY SECRETARY ACHESON**

[Released to the press April 13]

Our information indicates that the preliminary German reaction to the Occupation Statute has not been unfavorable. We expect that there will be increased understanding as the German political leaders and public have a chance to examine the background against which the Washington agreements were made and the purpose they are meant to serve.

The Occupation Statute sets forth the maximum powers which the Allied authorities mean to reserve.<sup>1</sup> The key issue for the future will be the manner and extent to which the Allied authorities will exercise their powers. In this connection, I should like to point out that the three Governments had in mind establishing a practicable basis of cooperation with the future Federal German Government and declared it to be a major objective to facilitate the closest integration of the German people under their own government within the framework of European association.

I have noted the fears expressed that the occupying countries would use their powers to suppress future German industrial competition.

This is a baseless assumption, since it has always been our aim to make Germany self-sufficient to the greatest possible degree in order to reduce the need for outside assistance.

The retention of control over research is a justifiable adjunct of continued German demilitarization, and this is the context in which the pertinent provision of the Occupation Statute was framed.

As regards control over foreign trade, this is a protection of direct benefit to the German administration itself, since we must assure ourselves that the funds we are supplying are properly used and are not squandered. In the meantime we will, of course, permit and encourage the Germans to develop their own foreign trade resources so that they themselves may contribute as far as possible to their own support and to the production of goods for the benefit of Europe as a whole.

With respect to the Basic Law, certain features of which are still under discussion, our interest is that a solution will be found preserving the federal character of the government which the Germans have been authorized to set up, and we hope that early agreement can be reached on this issue.

## **U.S., U.K., and France Announce Agreement on Limitations on Certain Industries in Germany**

[Released to the press jointly with  
the Department of the Army April 13]

The Departments of State and Army made public the text of an agreement which was announced on April 13 by the Military Governors of the United States, the United Kingdom, and France, in Germany, regarding limitations to be placed upon certain industries in Germany in the interest of security. The agreement embodies recommendations recently formulated by representatives of the three Governments in London and

approved by the three Foreign Ministers on April 8, 1949, in Washington, as part of the general agreement which they reached regarding Germany, in order to permit the establishment of a German Federal Government which could form a part of the European community.

The question of prohibited and restricted industries was considered by the three Governments in conjunction with the review of the reparation dismantling program to bring that program into harmony with the European Recovery Program. In consequence, coordinated agreements were reached by the three Governments on both subjects.

<sup>1</sup> For text of statute see BULLETIN of Apr. 17, 1949, p. 500.



A separate announcement was made with regard to reparations.<sup>1</sup>

Pursuant to instructions received from their respective governments to conclude the agreement hereinafter set forth, concerning prohibited and limited industries in the United States, United Kingdom and French Occupied Areas of Germany (hereinafter referred to for the purposes of this Agreement as Germany), the United States, United Kingdom and French Military Governors and Commanders-in-Chief hereby promulgate the following agreement, effective forthwith:

#### *Article I*

The prohibitions laid down in this Agreement shall remain in force until the peace settlement.

The limitations laid down in this Agreement shall remain in force until 1st January, 1953, or until the peace settlement, whichever is the earlier, and thereafter as may be agreed.

Should no peace settlement have been concluded by 30th June, 1952, the Military Governors shall forthwith review these limitations in the light of the conditions then prevailing, taking into account the requirements of security of the Allied Powers, the state and effectiveness of the arrangements made to preserve security, and the requirements of European Recovery. Should the Military Governors be unable within 90 days from 30th June, 1952, to reach agreement on the limitations which in the absence of an earlier peace settlement shall be continued after 1st January, 1953, the matter shall be considered forthwith by the three Governments.

#### *Article II*

Action within the discretion of the Military Governors under the terms of the Agreement shall be taken by unanimous decision.

#### *Article III*

The production or manufacture of the following substances and war materials shall be prohibited, and all plants and equipment for their production or manufacture not already removed or destroyed shall, as soon as possible, be removed from Germany or destroyed.

(a) The items listed in Schedule A to Control Council Law No. 43 (at Annex A)

(b) Primary Magnesium

(c) Beryllium

#### *Article IV*

The production, import, export, transport, storage, use and possession of radioactive materials will be the subject of legislation by the Military Governors.

#### *Article V*

1. The production of synthetic rubber and butadiene shall be prohibited.

2. In order to give effect to the foregoing prohibitions, facilities for copolymerization, facilities for research and testing of synthetic rubber, and facilities for the production of butadiene at the Huls, Ludwigshafen and Leverkusen plants shall be removed or destroyed.

#### *Article VI*

1. The production of petrol, oil and lubricants directly or indirectly from coal or brown coal by the Bergius hydrogenation process, the Fischer-Tropsch synthesis, or analogous processes, shall be prohibited except, temporarily, to the extent inseparable from the production of hydrocarbon waxes for the manufacture of synthetic fatty acids for the production of washing materials.

2. The synthesis of hydrocarbon waxes by the Fischer-Tropsch process shall be permitted only so long as the supply of fats and oils available in Germany is inadequate for the manufacture of sufficient washing materials without the use of synthetic fatty acids, and in any event not beyond 31st December, 1949.

3. The Fischer-Tropsch plants not now engaged in the synthesis of hydrocarbon waxes shall, as soon as possible, be removed from Germany or destroyed. The two Fischer-Tropsch plants engaged in the synthesis of hydrocarbon waxes shall, as soon as possible after production ceases, be removed from Germany or destroyed.

4. All Bergius plants except the Wesseling plant shall, as soon as possible, be removed from Germany or destroyed. The whole Wesseling plant shall be retained, and may be used for the refining of natural petroleum, for the hydrogenation of heavy residues from such refining and for the synthesis of ammonia and methanol.

#### *Article VII*

The manufacture of electronic valves shall be limited to a list to be drawn up by experts and published by the Military Governors of permitted types that shall not exceed either 10 watts dissipation or 250 megacycles frequency, subject to the authority of the Military Governors, acting upon the advice of the Military Security Board, to permit by licence the manufacture of types exceeding 10 watts dissipation (but not exceeding 250 megacycles frequency) in case of necessity.

#### *Article VIII*

1. The capacity of the following industries shall be limited as stated below:

(a) *Steel*, to that remaining after the removal of reparations;

(b) *Electric arc and high frequency furnace steel furnace capacity*, to that remaining after the removal of reparations;

<sup>1</sup> See ante p. 524.

(c) *Primary Aluminium*, to that sufficient to produce 85,000 tons of primary aluminium a year;

(d) *Shipbuilding*, to that remaining after the removal as reparations of the following yards in addition to those four that have already been made available for reparations:

CIND 1206 Germania Werft, Kiel

CIND 1235 Deutsche Werke, Kiel

CIND 1287 Deutsche Werft Reiherstieg, Hamburg;

(e) *Ball and Roller Bearings*, to that remaining after the removal as reparations of plant and equipment calculated to leave in Germany capacity sufficient to produce 33 million units a year on a one-shift basis, or present capacity, whichever is the less;

(f) *Synthetic Ammonia*, to that remaining after the removal of reparations;

(g) *Chlorine*, to that remaining after the removal of reparations;

(h) *Styrene*, to 20,000 tons annual working capacity.

2. In order that the total authorised capacity of the industries limited in paragraph 1 above shall not be exceeded, no enterprise shall be permitted, (except under licence from the Military Governors, acting upon the advice of the Military Security Board) to increase the productive capacity of any of its plant or equipment that is engaged or partly engaged in any of the industries list in this article, whether it is proposed to effect the increase by the extension of existing facilities, the construction of new facilities, or the addition of new equipment. The construction of new plant and equipment, and the replacement or reconstruction of that removed or destroyed shall likewise be prohibited except under licence from the Military Governors, acting upon the advice of the Military Security Board. The Military Security Board will ensure that obsolete or wornout plant or equipment the replacement of which by new has been licensed is removed from Germany or destroyed.

#### *Article IX*

1. The production of steel shall be limited to 11.1 million ingot tons a year.

2. The production of primary aluminium shall be limited to 85,000 tons of primary aluminium a year. No specific limitation shall be placed on imports of bauxite and alumina; they shall, however, be controlled to prevent stock-piling in excess of a number of months' supply, to be determined by the Military Governors.

3. The production of styrene shall be limited to 20,000 tons a year.

#### *Article X*

1. The manufacture of the following shall be prohibited:

(a) *Machine tools* or other manufacturing equipment specifically designed for the production of weapons, ammunition or other implements of war.

(b) Attachments, devices, tools or other objects having no normal, peacetime use and specifically designed to convert or adapt machine tools or other manufacturing equipment to the production of weapons, ammunition or other implements of war.

2. The manufacture of the types of machine tools listed at Annex B shall be prohibited except under licence from the Military Governors, acting upon the advice of the Military Security Board, which licence will normally be granted unless the Military Governors have reason to think that the tools are not intended for peaceful production.

#### *Article XI*

1. The construction of ships whose size or speed does not exceed the limits contained in the following table shall be permitted in Germany, provided that no ocean-going ships shall be constructed until a German coastal fleet adequate for the requirements for European and German recovery has been reconstituted. (It has been estimated that Germany will require for this purpose 517,000 G. R. T., including 360,000 G. R. T. of dry cargo ships.)

Dry cargo ships	12 knots 7,200 G. R. T.
Tankers	12 knots 7,200 G. R. T.
Small craft	12 knots 650 G. R. T.
(including fishing vessels and ships other than cargo-carrying craft)	
Coastal vessels	12 knots 2,700 G. R. T.

2. Notwithstanding the above provisions, Germany shall be permitted during the period of this Agreement to acquire abroad up to 100,000 G.R.T. of tankers of not more than 14 knots speed and 10,700 G.R.T., being not less than 16,000 dwt; and up to 300,000 G.R.T. of dry cargo ships of not more than 12 knots speed and 7,200 G.R.T.

3. In order to provide guidance for the Military Governors, a committee of experts is to be constituted by the Governments of the United States, the United Kingdom and France with instructions to prepare, within three months, a report outlining the types of ships, excluding ships primarily for passengers, which may be required by Germany, although they exceed in one respect or another the limits in paragraph 1 above. The committee shall also determine those features of design, construction, propulsion machinery, etc., which would facilitate use for or conversion for war purposes or which do not conform to normal merchant marine practice and should therefore be prohibited. The recommendations of the committee shall be transmitted to the Military Governors for action in accordance with the procedure outlined in the following paragraph.



4. The Military Governors, acting upon the advice of the Military Security Board, may permit by licence the construction or acquisition of ships exceeding in some respects the limitations on speed and tonnage shown in paragraph 1 above, in order to provide for ships having special purposes or functions. The Military Governors shall take into account the requirements of security and the necessity that ships shall be capable of operating economically in the trades or routes for which they are intended.

5. Notwithstanding anything contained herein to the contrary, the Military Governors, acting upon the advice of the Military Security Board, may authorise under licence the construction of vessels having a greater speed than 12 knots that are shown to be essential for such purposes as the prevention of smuggling and illegal fishing, frontier control, fire fighting, or for the use of pilots or the civil police.

6. The Military Governors shall promulgate the legislation necessary to give effect to the foregoing provisions; and upon the coming into effect of such legislation the operation of the relevant provisions of Control Council Directives Nos. 33, 37, 44 and 45 shall be suspended. Until the promulgation of such legislation, the building of any ships other than those permitted under the relevant provisions of Control Council Directives Nos. 33, 37, 44 and 45 shall remain prohibited.

#### *Article XII*

Nothing in this Agreement shall be interpreted as impairing or reducing the powers with which the Military Security Board is vested.

#### **ANNEX A**

##### **Schedule A to Control Council Law No. 43**

###### *Group I*

(a) All weapons including atomic means of warfare or apparatus of all calibres and natures capable of projecting lethal or destructive projectiles, liquids, gases or toxic substances, their carriages and mountings.

(b) All projectiles for the above and their means of projection or propulsion. Examples of means of propulsion are cartridges, charges, etc.

(c) All military means of destruction such as grenades, bombs, torpedoes, mines, depth mines, depth and demolition charges and self-propelled charges.

(d) All military cutting or piercing weapons (in French: white arms), (in Russian: cold arms), such as bayonets, swords, daggers and lances.

###### *Group II*

(a) All vehicles specially equipped or designed for military purposes such as tanks, armoured

cars, tank-carrying trailers, armoured railway rolling stock, etc.

(b) Armour of all types for military purposes.

(c) Harness specially designed for military purposes.

###### *Group III*

(a) (i) Range-finding apparatus of all kinds for military purposes;

(ii) Aiming, guiding, and computing devices for fire control;

(iii) Locating devices of all kinds (particularly all devices for radio direction finding and all devices for radio detection);

(iv) Instruments for assisting observations of fire or for the remote control of all moving objects.

(b) All signalling and inter-communication equipment and installations specially designed for war purposes; all apparatus for radio interference.

(c) Searchlights with mirror diameter of more than 45 cms.

(d) Optical instruments of all kinds specially designed or intended for war purposes.

(e) Survey and cartographic equipment and instruments of all kinds specially designed for war purposes. Military maps and equipment for using them.

(f) Military engineering tools, machinery and equipment such as special bridging materials.

(g) Personal military equipment and uniforms, and military insignia and decorations.

(h) Cryptographic machines and devices used for cipher purposes.

(i) All camouflage and dazzle devices.

Any of the materials listed in Group III, except for electronic devices such as radar, radiogoniometric and similar equipment, that have a normal peacetime use and are not specially designed for military use, are excluded from the provisions of paragraph 1, Article I of the Law.

###### *Group IV*

(a) Warships of all classes. All ships and floating equipment specially designed for servicing warships. All ships with characteristics exceeding those required for normal peacetime uses; or designed or constructed for conversion into warships or for military use.

(b) Special machinery, equipment and installations which in time of peace are normally used solely in warships.

(c) Submersible craft of all kinds; submersible devices of all kinds, designed for military purposes. Special equipment pertaining to these craft and devices.

(d) All military and landing devices.

(e) Material, equipment and installations for the military defense of coasts, harbours etc.

###### *Group V*

(a) Aircraft of all types, heavier or lighter than air; with or without means of propulsion,

including kites, captive balloons, gliders and model aircraft, and all auxiliary equipment, including aircraft engines and component parts, accessories, and spare parts specifically designed for aircraft use.

(b) Ground equipment for servicing, testing or aiding the operation of aircraft, such as catapults, winches and beacons; material for the rapid preparation of airfields such as landing mats; special equipment used in conjunction with air photography; excluding however, from the provisions of paragraph 1, Article I of this Law any such equipment and materials for landing fields and air beacons that have a normal peacetime use and are not specifically designed for military use as listed in Schedule B.

#### Group VI

All drawings, specifications, designs, models and reproductions directly relating to the development, manufacture, testing, or inspection of the war materials, or to experiments or research in connection with war material.

#### Group VII

Machinery and other manufacturing equipment and tooling used for the development, manufacture, testing or inspection of the war material defined in this Schedule, and not capable of conversion to peacetime production.

#### Group VIII

(a) The following War Chemicals:

High explosives with the exception of those listed in Schedule B, Group VIIIa.<sup>1</sup>

(NOTE: By "high explosives" is meant organic explosives used as fillings for shells, bombs, etc.)

Double-base propellants (i. e. Nitrocellulose propellants containing nitroglycerine, diethyleneglycol dinitrate or analogous substance).

Single-base propellants for any weapons except sporting weapons.

Nitroguanidine.

Poison war gases (including liquids and solids customarily included in this term) with the exception of those listed in Group VIIIb<sup>1</sup> of Schedule B.

Rocket fuels:

Hydrogen peroxide of above 37% concentration,  
Hydrazine hydrate  
Methyl nitrate.

Highly toxic products from bacteriological or plant sources (with the exception of those bacteriological and plant products which are used for therapeutic purposes).

(b) All special means for individual and collective defense used in peace exclusively by the armed forces, such as protective masks against

<sup>1</sup>This reference is to Schedule B of Allied Control Council Law No. 43 signed Dec. 20, 1946, in Berlin.

toxic or lethal devices used for war, detection apparatus etc.

#### Group IX

All apparatus, devices, and material specially designed for training and instructing personnel in the use, handling, manufacture or maintenance of war material.

### ANNEX B

**Types of machine tools the manufacture of which shall be prohibited except under licence from the Military Security Board**

1. *Spiral bevel gear cutters.*

2. *Broaching machines* of the following kinds:

(a) Continuous surface type.

(b) Reciprocating type (bar type cutter) with cutter diameter or equivalent cross section exceeding 2 inches (51 mm), or working stroke exceeding 5 feet (1524 mm) or pull capacity exceeding 35,000 lbs (15,876 kgs).

3. *General purpose lathes* of the following kinds:

(a) Lathes of work diameter capacity (swing over carriage) exceeding 56 inches (1,422 mm).

(b) Lathes of work diameter capacity (swing over carriage) of from 36 inches (914 mm) to 56 inches and with distance between centres (length of work piece) exceeding 14 feet (4,267 mm).

(c) Lathes of work diameter capacity (swing over carriage) of from 18 inches (457 mm) to 36 inches (914 mm) and with distance between centres exceeding 18 feet (5,486 mm).

4. *Vertical turret lathes* (turret type head, not rotating table) of work diameter capacity exceeding 39 inches (991 mm).

5. *Chucking and facing lathes* of work diameter capacity exceeding 96 inches (2,438 mm) or with travel of carriage exceeding 7 feet (2,134 mm).

6. *Car and locomotive wheel lathes* (machines designed specifically for this work) of work diameter capacity exceeding 96 inches (2,438 mm).

7. *Turret lathes* of chuck capacity exceeding 24 inches (610 mm) or of bar capacity exceeding 3 inches (76 mm).

8. *Milling machines* of general purpose and universal types, horizontal and vertical, any of whose specifications exceed the following limits:

(a) Maximum overall weight: 4 tons.

(b) Following rectangular table dimensions:

(i) Maximum length: 48 inches (1,219 mm).

(ii) Maximum width: 14 inches (356 mm).

(c) Following round table dimensions:

(i) Maximum table diameter: 24 inches (610 mm).

(ii) Maximum work diameter capacity: 32 inches (813 mm).

9. *Planer milling machines* of distance between housings exceeding 4 feet (1,219 mm) or of length of platen exceeding 12 feet (3,658 mm) or of number of heads exceeding 3.

10. *Grinding machines* of the following kinds:



(a) Cylindrical general purpose machines of work diameter capacity exceeding 30 inches (762 mm) or of distance between centres exceeding 9 feet (2,743 mm), but not including machines specifically designed for and limited to finishing rolling mill, calender, printing and other similar machine parts.

(b) Surface rectangular table machines of platen width exceeding 24 inches (610 mm) or of platen length exceeding 72 inches (1,829 mm).

(c) Surface round table machines of table diameter exceeding 36 inches (914 mm).

11. *Gear producing machines* of all types whose work diameter capacity exceeds 60 inches (1,524 mm).

12. *Forging hammers* of all types of falling weight exceeding  $3\frac{1}{2}$  tons (3,556 metric tons).

13. *Forging machines* of bar stock diameter or equivalent cross section exceeding  $3\frac{1}{2}$  inches (89 mm).

14. *Mechanical presses* of an effective operating pressure exceeding 1,000 tons (1,016 metric tons).

15. *Hydraulic presses* of an effective operating pressure exceeding 1,000 tons (1,016 metric tons).

16. *Precision jig boring machines* of a lateral displacement of cutter with reference to work (or displacement of work with reference to cutter) exceeding 24 inches (610 mm).

## PLANT DISMANTLING AND PROHIBITED AND RESTRICTED INDUSTRIES IN GERMANY

### A Chronology of Public Statements and Agreements

1. **August 1, 1945.** Potsdam Protocol (Berlin agreement) signed.

Among the agreements in the Protocol were a ban on German production of military materials; a restriction of production of certain types of materials of high importance to a war effort but also important to a peacetime economy; and arrangements for the removal from Germany of equipment surplus to the requirements of the peacetime economy in certain industries.

Reference: Department of State press release 238 of March 24, 1947, for full text.

2. **December 12, 1945.** The Department of State issued its interpretation of the Potsdam Protocol as it related to reparation and the peacetime German economy.

In part this interpretation was: "The present determination, however, is not designed to impose permanent limitations on the Germany economy. The volume of permitted industrial production of a peacetime character will be subject to constant review after February 2, 1946; and final Allied decisions regarding restrictions to be maintained on German industrial capacity and production will not be made until the framing of the peace settlement with Germany."

Reference: Department of State publication 2630, *United States Economic Policy Toward Germany*, Appendix g.

3. **March 28, 1946.** The "Plan of the Allied Control Council for Reparations and the Level of the Postwar German Economy" made public by the Military Governors of the Four Occupying Powers.

This plan contained a list of prohibited and restricted industries and laid the basis for removal of plants for reparation in furtherance of the Potsdam Protocol.

Reference: Department of State publication 2630, *United States Economic Policy Toward Germany*, Appendix k.

4. **December 20, 1946.** The Allied Control Council reached agreement on and signed Law No. 43, in Berlin.

Schedule A of Law 43 spelled out the types of war materials whose production was wholly prohibited. The Schedule A list has not been changed, and there is three-power agreement that it should continue in effect.

5. **August 29, 1947.** The "Revised Plan for Level of Industry in the U.S./U.K. Zones of Germany" was made public.

After a year-and-a-half of experience it was found that the requirements of the German peacetime economy had been underestimated. When four-zone unity could not be achieved the Military Governors of the Bizonal area undertook a revision of the level-of-industry plan. This

increased the industrial capacity to be retained in certain German industries. A review of the prohibited industries and of the restrictions on certain types of production was deferred.

Reference: BULLETIN of Sept. 7, 1947, p. 468.

6. **June 2, 1948.** Representatives of France, the United Kingdom, and the United States signed a report in London containing their recommendations on certain German problems.

Among these recommendations was one for establishment of a Military Security Board that would enforce German disarmament and demilitarization, with appropriate controls over the prohibited and restricted industries.

Reference: BULLETIN of June 20, 1948, pp. 807-10.

7. **April 3, 1948.** Economic Cooperation Act of 1948, signed by the President.

Section 115 (f) of this act specified:

"The Administrator (of the ECA) will request the Secretary of State to obtain the agreement of those countries concerned that such capital equipment as it scheduled for removal as reparations from the three western zones of Germany be retained in Germany if such retention will most effectively serve the purpose of the European recovery program."

Reference: Public Law 472—80th Congress; chapter 169—2d Session.

8. **August 1948.** The Industrial Advisory Committee of the ECA, under the chairmanship of George M. Humphrey, assembled a group of engineers to examine the plants that had been placed on removal lists in the Western zones.

The engineers began their work abroad on October 13 and ended it on December 16, 1948. The report of the Industrial Advisory Committee, containing recommendations on the plants to be retained in Germany, is dated January 12, 1949. On January 25 the U.S. Secretary of State asked the British and French Governments to accept the ECA recommendations.

9. **September 1948.** The Military Governors of the three Western zones began a review of the prohibited and restricted industries.

10. **January 17, 1949.** Formation of the Military Security Board for the Western zones of Germany was announced.

Reference: BULLETIN of February 6, 1949, p. 195.

11. **March 1949.** A Franco-U.K.-U.S. conference at the governmental level began in London to review the recommendations of the Military Governors on the revision of the prohibited and restricted industries and also to consider the recommendations of the Industrial Advisory Committee of the ECA.

## Report of the Secretary of State to the President on North Atlantic Treaty

[Released to the press April 12]

*April 7, 1949*

**THE PRESIDENT:** I have the honor to transmit to you the North Atlantic Treaty, signed at Washington on April 4, 1949, with the recommendation that it be submitted to the Senate for its advice and consent to ratification.

In accepting the obligations of the United Nations Charter in 1945, the United States Government committed itself for the first time to full participation in collective action to maintain international peace and security. The foreign policy of the United States is based squarely upon the United Nations as the primary instrumentality of international peace and progress. This Government is determined to make the United Nations ever more effective in order ultimately to assure universal peace.

Although this Government's full participation in world cooperation dates only from 1945, this Government had, for more than a century and a quarter, contributed to the peace of the Americas by making clear its determination to resist any attack upon our neighboring Republics to the South. The same determination and the obligations necessary to give it effect through the collective action of all the American Republics was incorporated in the Treaty of Rio de Janeiro in 1947. This Treaty, like the North Atlantic Treaty, is a defense arrangement under the Charter of the United Nations. The essence of that Treaty is recognition of the fact that an armed attack on any of the American States is in effect an attack upon them all.

The North Atlantic Treaty is patterned on the Treaty of Rio de Janeiro. Its essence is recognition of the fact that an armed attack on any of the North Atlantic nations is in effect an attack upon them all. An attack upon any of them would not be designed merely to gain territory or nationalistic ends. It would be directed squarely against our common democratic way of life.

The essential purpose of the Treaty is to fortify and preserve this common way of life. It is designed to contribute to the maintenance of peace by making clear in advance the determination of the Parties resolutely and collectively to resist armed attack on any of them. It is further designed to contribute to the stability and well-being of the member nations by removing the haunting sense of insecurity and enabling them to plan and work with confidence in the future. Finally, it is designed to provide the basis for effective collective action to restore and maintain the security of the North Atlantic area if an armed attack should occur.

This Treaty and the Rio Treaty, committing the United States as they do to exert its great influence for peace, are, in my opinion, second only in importance to our membership in the United Nations. For this reason every effort has been made to develop it on a wholly non-partisan basis and in cooperation between the Executive and Legislative branches.

In December 1947 you ratified the Treaty of Rio de Janeiro on the advice and consent of the Senate given with only one dissenting vote.

On March 17, 1948, the Governments of Belgium, France, Luxembourg, the Netherlands, and the United Kingdom signed the Brussels Treaty, which was modeled to a considerable extent on the Rio Treaty and which established another collective defense arrangement within the framework of the Charter. That arrangement was established with the encouragement of this Government as a step toward the closer integration of the free nations of Europe and as evidence of the determination of the five parties resolutely to defend themselves and each other against aggression. In establishing it, they repeatedly advised us that, despite their determination to do their utmost in self-defense, their collective strength might be inadequate to preserve peace or insure their national survival unless the great power and influence of the United States and other free nations were also brought into association with them.

On the day the Brussels Treaty was signed, you addressed the Congress in joint session and praised the conclusion of that Treaty as a notable step toward peace. You expressed confidence that the American people would extend the free countries the support which the situation might require and that their determination to defend themselves would be matched by an equal determination on our part to help them to do so.

Shortly thereafter, my predecessor, General Marshall, and Mr. Robert Lovett undertook a series of consultations with the leaders and members of the Senate Foreign Relations Committee on the problems facing the free world and how they might best be met by bringing American influence to bear in the cause of peace, in association with other free nations, and within the framework of the United Nations Charter.

On May 19, 1948, the Foreign Relations Committee unanimously reported Senate Resolution No. 239. That Resolution declared:

WHEREAS peace with justice and the defense of human rights and fundamental freedoms require international cooperation through more effective use of the United Nations:



Therefore be it

RESOLVED, That the Senate reaffirm the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter: . . .

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under Article 51 should any armed attack occur affecting its national security.

On June 11, 1948, the Senate adopted that Resolution by a non-partisan vote of 64 to 4. The Preamble of H. R. 6802 which was unanimously reported by the Foreign Affairs Committee of the House of Representatives on June 9 but not voted upon prior to adjournment, contained language identical in substance with that quoted above.

In July, on the basis of these expressions of the wishes of the Legislative branch, you authorized Mr. Lovett to begin exploratory conversations with the Ambassadors of Canada and of the Parties to the Brussels Treaty. These conversations resulted in September in agreement by the representatives participating in them that an arrangement, established by Treaty, for the collective defense of the North Atlantic area was desirable and necessary. Agreement was also reached on the general nature of the Treaty. Following approval by the governments concerned of the recommendations of their representatives, negotiation of the Treaty was begun in December and finished on March 15, 1949.

Throughout these conversations and negotiations Mr. Lovett and I have constantly made clear that, so far as the United States was concerned, the Treaty must conform to the expression of guidance contained in the Senate Resolution. I am glad to say that the principles stated in the Resolution received the wholehearted concurrence of the other participating governments. From time to time during the negotiations first Mr. Lovett and, since January 20, I have consulted fully with the Chairman and ranking minority member of the Foreign Relations Committee. During the later stages of the negotiations I met twice with the Foreign Relations Committee as a whole. The Treaty in its final form reflects a number of constructive suggestions made by members of the Committee.

Early in March the Norwegian Government decided to join in negotiating the Treaty and since March 4 the Norwegian Ambassador has participated fully in the discussions.

April 24, 1949

It is clear that a collective defense arrangement of this nature, in order to be fully effective, should be participated in by as many countries as are in a position to further the democratic principles upon which the Treaty is based and to contribute to the security of the North Atlantic area and as are prepared to undertake the necessary responsibilities. Accordingly, invitations to become original signatories of the Treaty were issued on behalf of the eight participating governments on March 17 to the Governments of Denmark, Iceland, Italy, and Portugal. It is a source of gratification that those governments decided to participate in this collective enterprise.

Treaties are ordinarily negotiated in strict confidence and their contents made public only after signature. In this case, while it was necessary to conduct the negotiations in confidence until general agreement had been reached, the negotiating governments decided to make the text public as soon as it had been tentatively agreed upon. This was done in order to give public opinion in each of the participating countries and in all other countries the maximum opportunity to study and discuss its terms. I am exceedingly gratified by the popular reaction to the Treaty in the United States and abroad.

The text of the Treaty is, I think, self-explanatory. In drafting a document of such importance to millions of individuals every effort has been made to make it as clear, concise, and simple as possible.

The Preamble expresses the spirit and purposes of the Treaty. In it the Parties reaffirm their faith in the purposes and principles of the United Nations Charter and their desire to live in peace with all peoples and all governments. They express their determination to safeguard the freedom and the common heritage and civilization of their peoples founded on the principles of democracy, individual liberty and the rule of law. They express their desire to promote stability and well-being in the North Atlantic area and their resolution to unite their efforts for collective defense and for the preservation of peace and security.

Article 1 reflects "their desire to live in peace with all peoples and all governments" by explicitly reaffirming the obligations, expressed in Article 2 of the Charter and reflected throughout the Charter, to settle any international disputes in which they may be involved, with any nation, by peaceful means in such a manner that international peace and security, and justice, are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations. It is clear that any allegations that the Treaty conceals aggressive intentions are deliberate perversions of fact.

Article 2 reflects the conviction of the Parties that true peace is more than the mere absence of

war. In this Article the Parties indicate their desire to strengthen the moral and material factors upon which true peace depends. They will do so by strengthening their own free institutions, by bringing about a better understanding of the principles upon which those institutions are founded, and by promoting conditions of stability and well-being. They will also seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Article 3 carried into the Treaty the concept contained in the Senate Resolution that such collective arrangements should be based on continuous and effective self-help and mutual aid. This means that no Party can rely on others for its defense unless it does its utmost to defend itself and contribute toward the defense of the others. The Article does not itself obligate any Party to make any specific contribution to the defense capacity of any other Party, at any particular time or over any given period of time. It does contain the general obligations of determined self-defense and assistance in strengthening the defense capacity of the group as a whole. The concept of "mutual aid" is that each Party shall contribute such mutual aid as it reasonably can, consistent with its geographic location and resources and with due regard to the requirements of basic economic health, in the form in which it can most effectively furnish it, whether in the form of facilities, manpower, productive capacity, military equipment, or other forms.

Article 4 provides for consultation at the request of any Party whenever in its opinion the territorial integrity, political independence or security of any of the Parties is threatened. Any situation or event anywhere could be cause for consultation if it were deemed to threaten the integrity, independence or security of any Party, but it is not anticipated that consultation would be lightly sought or that it would be productive if it were. The Article contains no obligation beyond consultation. Any action taken as a result of consultation would be determined by each Party in the light of the seriousness of the situation and of its obligations under the United Nations Charter and in the spirit of the Treaty.

There is no intention that such consultation should in any way duplicate the functions of the United Nations Security Council or the General Assembly. In particular, there is no intention of undertaking any enforcement action within the meaning of Article 53 of the Charter unless the Security Council should specifically call upon the Parties to take it.

Article 5 is based squarely on the "inherent right", specifically recognized in Article 51 of the Charter, of "individual or collective self-defense if an armed attack occurs against a member of the United Nations". That right does not derive from Article 51 of the Charter; it is inherent, and

recognized as such and preserved by that Article. The Article is also based upon the fact that in the world of today the security of the Parties to this Treaty is so interdependent that an armed attack on any one of them would be in effect an attack on all.

This Article provides that, if such an armed attack occurs, each Party will take such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

The basic purpose of the Treaty is to contribute to the maintenance of peace, as recommended in the Senate Resolution, by making clear the determination of the Parties to exercise the right of self-defense should an armed attack occur against any of them. As you stated in your inaugural address, if it can be made sufficiently clear that such an attack would be met with overwhelming force, the attack may never occur.

This Treaty is designed to prevent such an attack occurring by making clear the determination of the signatory nations to take the necessary action should it occur. Far more important than language in a treaty is the determination of the peoples bound by it. It is my hope and belief that the American people and the peoples of the other signatory nations will by their national conduct make this unmistakably clear.

The obligation upon each Party is to use its honest judgment as to the action it deems necessary to restore and maintain the security of the North Atlantic area and accordingly to take such action as it deems necessary. Such action might or might not include the use of armed force depending upon the circumstances and gravity of the attack. If an attack were of a minor nature measures short of force would certainly be utilized first and might suffice. Only in the clear case of a major armed attack would the use of force be necessary. Each Party retains for itself the right of determination as to whether an armed attack has in fact occurred and what action it deems necessary to take. If the situation were not clear there would presumably be consultation prior to action. If the facts were clear, action would not necessarily depend on consultation and it is hoped that the action would be as swift and decisive as the gravity of the situation was deemed to require.

This does not mean that the United States would automatically be at war if we or one of the other Parties to the Treaty were attacked. Under our Constitution, the Congress alone has the power to declare war. The United States would be obligated by the Treaty to take promptly the action which it deemed necessary to restore and maintain the security of the North Atlantic area. That decision as to what action was necessary would naturally be taken in accordance with our constitutional processes.



Article 51 of the Charter recognizes the inherent right of self-defense until the Security Council has taken the measures necessary to maintain international peace and security. Article 5 of the Treaty provides that any armed attack upon a Party and all measures taken as a result thereof shall immediately be reported to the Security Council and that such measures shall be terminated when the Security Council has taken the necessary action.

Article 6 specifies certain areas within which an armed attack would give rise to the obligations of Article 5. The area covered by the Treaty is the general North Atlantic area and is deliberately not defined by lines on a map. The purpose of the Treaty is to prevent an armed attack by making clear that such an attack within that general area would meet the collective resistance of all the Parties. It would not be in keeping with the spirit of the Treaty to provide that an attack such as the sinking of a vessel at one point at sea would give rise to the obligations of Article 5, while a similar attack a few miles away would not. Furthermore, it is not contemplated that minor incidents would bring the provisions of Article 5 into effect.

Article 7 makes clear that the obligations of the Parties under the Treaty are subordinated to their obligations under the Charter. Their obligations under the Charter are in no way affected by the Treaty and the provisions of the Charter are paramount wherever applicable. In this Article the Parties also explicitly recognize the primary responsibility of the Security Council for the maintenance of international peace and security.

In Article 8 each Party declares that none of its existing international engagements with any state is in conflict with the provisions of the Treaty and undertakes not to enter into any international engagement in conflict with it.

By Article 9 the Treaty becomes not merely a static document but the basis for a continuing collective arrangement as envisaged in the Senate Resolution. That Article establishes a Council, on which each Party is to be represented, to facilitate implementation of the Treaty. The Council is to be so organized as to be able to meet promptly at any time and shall set up such subsidiary bodies as may be necessary, in particular a defense committee to recommend measures for the implementation of Articles 3 and 5. The Council will have no powers other than to consider matters within the purview of the Treaty and to assist the Parties in reaching agreement upon them. Consequently, no voting procedure is needed or provided. Each government remains the judge of what actions it should take in fulfillment of the obligations of the Treaty.

Article 10 recognizes that not all states in the North Atlantic area in a position to further the principles of the Treaty or to contribute to the security of the area may wish to become parties at

this time. The Article accordingly provides that the Parties may, by unanimous agreement, invite any other European state in a position to further the principles of the Treaty and to contribute to the security of the North Atlantic area to become a party at a later date.

Since Canada and the United States are original signatories and the other American Republics are actual or potential parties to the Rio Treaty, no accessions by other American states are contemplated.

Since the accession of additional parties might alter the responsibilities of the original signatories, unanimous agreement is required to invite other states to join.

Article 11 provides that the Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The Senate Resolution spoke of association of the United States "by constitutional process" with such arrangement as that established by the present Treaty, and it is naturally understood, as this Article provides, that both ratification of the Treaty and the carrying out of all its provisions must be in accordance with the constitutional processes of the signatory nations.

At the request of the other signatory governments, the United States Government has agreed to act as the depositary of the Treaty.

It was considered advisable that the Treaty enter into effect only when it had been ratified by each of the seven governments which originally participated in the negotiations, and a provision to this effect is contained in this Article.

Article 12 provides for the review of the Treaty at the request of any Party after the Treaty has been in force for 10 years, or at any time thereafter. This provision corresponds to the similar provision of Article 109 in the United Nations Charter providing for a review of the Charter after 10 years. Article 12 provides that the review of the Treaty shall take into account the factors that affect peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter for the maintenance of international peace and security.

Article 13 provides that any Party may cease to be a Party, after the Treaty has been in force for 20 years, upon the expiration of one year's notice of denunciation.

The common heritage of the signatory nations dates deep in history and the bonds between them are fundamental. It is hoped that their cooperation will be permanent and progressively closer. The Treaty must have a relatively long duration if it is to provide the necessary assurance of long-term security and stability. On the other hand, the impossibility of foretelling what the international situation will be in the distant future makes rigidity for too long a term undesirable. It is believed that indefinite duration, with the possibil-

ity that any Party may withdraw from the Treaty after 20 years and that the Treaty as a whole might be reviewed at any time after it has been in effect for ten years, provides the best solution.

Article 14 is a formal article concerning the equal authenticity of the English and French texts and the disposition of the original Treaty and certified copies thereof.

I believe that this Treaty will prove to be an important milestone in realization of the desire of the American people to use their great influence for peace. It makes clear, in my opinion, their determination to do so. The Treaty has been formulated in accordance with the guidance given by the Senate in Resolution 239. In the Senate debate on that Resolution it was made clear that the Senate, in advising you particularly to pursue certain objectives, in no way yielded its freedom of action to scrutinize and to give or withhold its consent to ratification of such treaty as might be negotiated. I know that the Senate will conscientiously exercise that prerogative and I trust that the Treaty will meet with its approval.

Respectfully submitted,

DEAN ACHESON

ENCLOSURE: North Atlantic Treaty.  
[BULLETIN of Mar. 20, 1949, p. 339]

### Head of American Relief for Czechoslovakia Arrested in Praha

[Released to the press April 13]

Vlasta Adele Vraz, head of the Praha office of American Relief for Czechoslovakia, was arrested April 9 about 1 p. m., and is now thought to be in Panrac Prison, Praha.

American Relief for Czechoslovakia, sponsored by the Advisory Committee on Voluntary Foreign Aid, is the organization which sends gifts of food and clothing to the children of Czechoslovakia from Czechs and Czech-Americans in the United States. The head office of the organization is at 9 East 10th Street, New York City, in charge of Dr. Kenneth D. Miller. The activities of the Praha office were to have been discontinued in June of this year.

Miss Vraz was born in Chicago. Her current address is 2101 South Elmwood Street, Berwyn, Illinois. She is unmarried, the daughter of the late well-known explorer-historian, Enrique Vraz, and first came to Praha as a representative of the American Red Cross in October 1945.

An American Embassy representative was permitted to visit Miss Vraz on April 12 in the pres-

<sup>1</sup> BULLETIN of Apr. 10, 1949, p. 455.

ence of a Foreign Office representative and two police officials. She appeared to be well and said she had been well treated to date and was being held for investigation in connection with alleged activities of a political nature.

On December 7, 1946, Miss Vraz was awarded the Czechoslovak "Order of the White Lion" for services to the State of Czechoslovakia. The *laissez-passer* issued to her by the Czechoslovak Consulate General in New York on September 21, 1945, includes a statement that she was coming to Czechoslovakia at the invitation of the Czechoslovak Government. She received a certificate dated October 22, 1945, from the late Foreign Minister, Jan Masaryk, confirming the aforementioned invitation and bespeaking the good offices of all Czechoslovak officials, civilian and military, on her behalf. In January of this year she received a letter from the Czechoslovak authorities thanking her for her care and the devotion with which she had conducted relief activities in Czechoslovakia for the past three years and for her understanding of the needs of the Czechoslovak children.

### The President's Reply to Prime Minister Attlee on First Anniversary of ECA

[Released to the press by the White House April 7]

*The President has sent the following message to Clement Attlee, Prime Minister of Great Britain, in reply to the message from Mr. Attlee<sup>1</sup> on the occasion of the first anniversary of the signing of the Foreign Assistance Act of 1948:*

I am confident that I speak not only for myself but for the people of the United States in expressing appreciation for your message on this first anniversary of the signing of the Foreign Assistance Act of 1948.

The record of the countries participating in the European Recovery Program during the past year is one of great accomplishment in industry, in agriculture, in trade. It is a record of tireless hard work. It is also, I believe, a record of achievement through cooperation. The Organization for European Economic Cooperation so recently established by the countries working together toward full recovery has demonstrated to us all the meaning of true international action.

We in the United States are proud that we have had a part in this great mutual effort. We are confident that the progress toward true recovery which has been so marked during this first year will continue and that the high goals which have been set will be fully realized.



## Joint U.S.-Canada Industrial Mobilization Committee Established

### EXCHANGE OF NOTES BETWEEN THE TWO GOVERNMENTS

[Released to the press April 12]

A Joint United States-Canada Industrial Mobilization Committee was established on April 12 by an exchange of notes between the two Governments, in Ottawa, following a series of discussions that began last June. This Joint Committee will consist of the following:

#### *For the United States*

Dr. John R. Steelman, Acting Chairman, National Security Resources Board  
Donald F. Carpenter, Chairman, Munitions Board

#### *For Canada*

Harry J. Carmichael, Chairman, Industrial Defence Board  
S. D. Pierce, Associate Deputy Minister, Department of Trade and Commerce

The agreement recognizes the mutual interests and complementary characteristics of the resources of the two countries. It will be the function of the new Committee to exchange information and coordinate the views of the two Governments in connection with planning for industrial mobilization in the event of an emergency. The new Committee is further charged with cooperation with the existing U.S.-Canadian Permanent Joint Board on Defense, established in 1940 by the late President Roosevelt and Mackenzie King, then Prime Minister of Canada.

A meeting of the Joint U.S.-Canada Industrial Mobilization Committee is contemplated in the near future.

The text of the notes follows:

OTTAWA, April 12, 1949

No. 93

EXCELLENCY: I have the honor to inform Your Excellency that the common interests of Canada and the United States in Defence, their proximity and the complementary characteristics of their resources clearly indicate the advantages of coordinating their plans for industrial mobilization, in order that the most effective use may be made of the productive facilities of the two countries.

The functions of the Department of Trade and Commerce and the Industrial Defence Board in Canada and those of the National Security Resources Board and the Munitions Board in the United States suggest that, for the present, it would be appropriate to use these Agencies to assist the two Governments in coordinating their Industrial Mobilization Plans.

Therefore, my Government wishes to propose that the two Governments agree:

(a) That a Joint Industrial Mobilization Com-

April 24, 1949

mittee be now constituted consisting, on the United States side, of the Chairman of the National Security Resources Board and the Chairman of the Munitions Board and, on the Canadian side, of the Chairman of the Industrial Defence Board and a Senior Official of the Department of Trade and Commerce;

(b) That the Joint Committee:

(i) Exchange information with a view to the coordination of the plans of the United States and Canada for Industrial Mobilization;

(ii) Consider what recommendations in the field of Industrial Mobilization planning, in areas of common concern, should be made to each Government;

(iii) Be empowered to organize Joint Sub-Committees from time to time to facilitate the discharge of its functions;

(iv) Be responsible for cooperation with the Permanent Joint Board on Defence on matters of Industrial Mobilization.

If your Government is agreeable to the above Proposals, it is understood that this Note, together with your Note in reply agreeing thereto, shall constitute an agreement between our two Governments which shall enter in force on the date of your reply and shall remain in force indefinitely subject to termination by either Government at any time on giving six months' notice.

Please accept [etc.]

LAURENCE A. STEINHARDT

OTTAWA, April 12, 1949

No. 113

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note No. 93 of April 12, 1949 in which you informed me that the Government of the United States of America wishes to propose that our two Governments agree:

[Here follow paragraphs (a) and (b) as printed above.]

I have the honor to inform Your Excellency that the Government of Canada concurs in the foregoing proposals and agrees that Your Excellency's note and this reply shall constitute an agreement between our two Governments which shall enter into force on this day and shall remain in force indefinitely, subject to termination by either Government at any time on giving six months' notice.

Accept [etc.]

LESTER B. PEARSON

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## Resumption of Diplomatic Relations With Paraguay

[Released to the press April 13]

On April 13 Fletcher Warren, United States Ambassador at Asunción delivered a note to the Paraguayan Foreign Minister in reply to a note of March 2, 1949,<sup>1</sup> from the Minister in which he announced that Dr. Felipe Molas López had assumed the Presidency of Paraguay on February 27, 1949. This action by the United States Ambassador constituted the resumption of normal diplomatic relations between the Paraguayan and United States Governments, interrupted on January 30, 1949, with the resignation of President J. Natalicio González of Paraguay.

The Paraguayan note of March 2, 1949, stated that the Government was in control of the entire country, furnishing security and guarantees to its people; that it proposes to achieve institutional normalization by means of free elections; and that it will continue to respect Paraguay's international commitments.

The United States Ambassador's note in reply expressed confidence that the friendship which has always characterized relations between the two countries will continue unimpaired.

## Israeli Ambassador Presents Credentials

[Released to the press April 11]

*The remarks of the newly appointed Ambassador of Israel, Eliahu Elath, upon the occasion of the presentation of his letters of credence, on April 11 follow:*

**MR. PRESIDENT:** The President of Israel has instructed me, in presenting to you the Letters of Credence accrediting me as Ambassador Extraordinary and Plenipotentiary of Israel to the United States of America, to convey to you his warm greetings and to express his sincere hope for the continued well-being and prosperity of the United States and its President.

The President and people of Israel are deeply grateful for the great contribution made by the Government of the United States and its people to the establishment of the State of Israel.

The noble tradition, instituted by President Woodrow Wilson and continued by all his successors, of expressing sympathy with the aims of Zionism has earned for the people of the United States and its Government the undying gratitude and admiration of Israel and the Jewish people.

The sympathy and concern shown by you, Mr. President, for the Jewish displaced persons of

<sup>1</sup> Not printed.

Europe, the constructive suggestions that you have made for their resettlement, your support of the establishment of the State of Israel, and your prompt recognition following the proclamation of Israel's independence on May 14, 1948, will forever be recorded in the hearts of our people and preserved in the annals of our history.

As a peace-loving nation, Israel will seek to maintain and, by her actions, to express her own moral heritage, and to make yet another contribution to civilization. It is her fervent hope that she will be allowed to do so, so that her progress may contribute to the development of the Middle East and be of benefit to the entire world.

I deeply appreciate the honor of being the first representative of my country in the United States. It will be my constant endeavor to advance and strengthen the ties of friendship and cooperation existing between Israel and this great democracy. I trust that in the discharge of this important task, Mr. President, I shall receive your understanding and help, as well as that of your Government.

*The President's reply to Mr. Elath follows:*

**MR. AMBASSADOR:** It is a great pleasure for me to receive from the President of Israel the Letters accrediting you as the first Ambassador Extraordinary and Plenipotentiary of Israel to the United States of America.

It is a matter of particular satisfaction to me to witness this important further step in the strengthening and consolidation of relations between our two countries, relations which have reflected the sincere interest of the Government and people of the United States in the deep-rooted aspirations of your people to found an independent nation. I am gratified to receive Your Excellency's kind remarks concerning the contribution of the American Government and people to the establishment of the State of Israel.

I am firmly convinced of the necessity for the speedy establishment of a true and equitable peace between Israel and its neighbors and for the resolution of all problems outstanding between them, in accordance with the solemn recommendations of the United Nations with respect to Palestine. The Government of the United States is deeply desirous of assisting by all appropriate means in the fulfillment of these objectives.

I wish to express to Your Excellency my personal pleasure that as Ambassador of Israel you will continue to represent your Government in Washington. I appreciate the wishes which you have expressed for the continued prosperity of the United States and for my personal well-being, and I should be grateful if you would convey to your distinguished President the best wishes of the Government and people of the United States for the peace and prosperity of Israel, and for his personal happiness and welfare.



## THE CONGRESS

Report on Progress of the Economic Cooperation Administration. Report of the Joint Committee on Foreign Economic Cooperation created pursuant to section 124 of Public Law 472, Eightieth Congress. S. Rept. 13, 81st Cong., 1st sess. ix, 152 p.

Jose Babace. Report (To accompany S. 26). S. Rept. 8, 81st Cong., 1st sess. 2 pp.

Certain Basque Allens. Report (To accompany S. 27). S. Rept. 9, 81st Cong., 1st sess. 4 pp.

Authorizing Payment of Claims Based on Loss of or Damage to Property Deposited by Alien Enemies. S. Rept. 10, 81st Cong., 1st sess. 2 pp.

Amending Section 3 of the Act Entitled "An Act to Revise the Alaska Game Law," Approved July 1, 1943, as Amended (57 Stat. 301). H. Rept. 170, 81st Cong., 1st sess., to accompany H.R. 220. 3 pp.

Authorizing Payment of Claims Based on Loss of or Damage to Property Deposited by Alien Enemies. H. Rept. 172, 81st Cong., 1st sess., to accompany S. 29. 3 pp.

Certain Basque Allens. H. Rept. 193, 81st Cong., 1st sess., to accompany S. 27. 3 pp.

Authorizing Vessels of Canadian Registry to Transport Iron Ore Between United States Ports on the Great Lakes During the Period From March 15 to December 15, 1949, Inclusive. H. Rept. 209, 81st Cong., 1st sess., to accompany H.J. Res. 143. 4 pp.

The United States Constitution. Text, Index, Chronology and Leading Quotations. S. Doc. 210, 80th Cong., 2d sess. 42 pp.

Estimate of Appropriations—Several Executive Departments and Independent Offices. Communication from the President of the United States transmitting estimate of appropriations for the several executive departments and independent offices to pay claims for damages, audited claims, and judgments rendered against the United States, as provided by various laws, in the amount of \$22,638,857.65, together with an indefinite amount as may be necessary to pay interest and costs. S. Doc. 15, 81st Cong., 1st sess. 333 pp.

Proposed Provision Pertaining to an Existing Appropriation—United States Maritime Commission. Communication from the President of the United States transmitting proposed provision pertaining to an existing appropriation of the United States Maritime Commission, fiscal year 1949. S. Doc. 19, 81st Cong., 1st sess. 2 pp.

## PUBLICATIONS

### Department of State

*For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.*

**General Agreement on Tariffs and Trade, Geneva, October 30, 1947.** Treaties and Other International Acts Series 1700. Pub. 3188. 2044 pp. In two volumes, with the documents arranged in the order of the original compilation deposited with the United Nations. Vol. I, \$3; Vol. II, \$1.50.

Volume I contains the Final Act (in both English and French), the English authentic texts, and the revised translations by the Department of State of the parts of this agreement in which only the French texts are authentic.

Volume II contains the French authentic texts and the Protocol of Provisional Application (in both English and French).

**Education: Cooperative Program in Paraguay.** Treaties and Other International Acts Series 1815. Pub. 3333. 20 pp. 10¢.

Agreement between the United States and Paraguay—Effected by exchange of notes signed at Asunción Dec. 11, 1947 and Mar. 3, 1948; entered into force Mar. 3, 1948. And Agreement between Paraguay and the Institute of Inter-American Affairs—Signed at Asunción Mar. 8, 1948; approved by exchange of notes signed at Asunción Mar. 10 and 12, 1948; entered into force Mar. 12, 1948.

**International Refugee Organization.** Treaties and Other International Acts Series 1846. Pub. 3362. 119 pp. 30¢.

Constitution adopted by the United States and Other Governments—Opened for signature at New York Dec. 15, 1946; instrument of acceptance deposited by the United States, July 3, 1947; entered into force Aug. 20, 1948.

**Air Service: Facilities in French Territory.** Treaties and Other International Acts Series 1852. Pub. 3390. 8 pp. 5¢.

Agreement between the United States and France—Effected by exchange of notes signed at Paris June 18, 1946; entered into force June 18, 1946.

**Patents: Certain Rights of Priority in Filing Applications.** Treaties and Other International Acts Series 1861. Pub. 3405. 4 pp. 5¢.

Agreement between the United States and the Republic of the Philippines—Effected by exchange of notes dated at Washington Feb. 12, Aug. 4 and 23, 1948; entered into force Aug. 23, 1948.

**Trade: Application of Most-Favored-Nation Treatment to Areas Under Occupation or Control.** Treaties and Other International Acts Series 1834. Pub. 3400. 7 pp. 5¢.

Agreement between the United States and Turkey—Effected by exchange of notes signed at Ankara July 4, 1948; entered into force July 13, 1948.

**Haitian Finances: Waiver of Certain Claims.** Treaties and Other International Acts Series 1862. Pub. 3407. 2 pp. 5¢.

Understanding between the United States and Haiti—Effected by exchange of notes signed at Port-au-Prince Oct. 1, 1947; entered into force Oct. 1, 1947.

**American Commission for Cultural Exchange With Italy.** Treaties and Other International Acts Series 1864. Pub. 3409. 9 pp. 5¢.

Agreement between the United States and Italy—Signed at Rome Dec. 18, 1948; entered into force Dec. 18, 1948.

**Claims: Hannevig against the United States; Jones against Norway.** Treaties and Other International Acts Series 1865. Pub. 3410. 8 pp. 5¢.

Convention between the United States and Norway—Signed at Washington Mar. 28, 1940; entered into force Nov. 9, 1948.

**The United Nations and the North Atlantic Pact.** International Organization and Conference Series III, 30. Pub. 3463. 4 pp. 5¢.

Partial text of an address by Ambassador Philip C. Jessup.

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